

# THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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## The President

### EXECUTIVE ORDER 9338

#### ABOLISHING THE OFFICE OF DEFENSE HEALTH AND WELFARE SERVICES AND TRANSFERRING ITS FUNCTIONS TO THE FEDERAL SECURITY AGENCY

By virtue of the authority vested in me by the Constitution and statutes of the United States, including Title I of the First War Powers Act, 1941, approved December 18, 1941 (Public Law 354, 77th Congress), and for the purpose of assuring adequate health and welfare services during the present emergency, it is hereby ordered as follows:

1. The Office of Defense Health and Welfare Services, established by Executive Order No. 8890 of September 3, 1941,<sup>1</sup> in the Office for Emergency Management, is abolished.

2. The functions, duties, and powers of the Director of the Office of Defense Health and Welfare Services are transferred to the Federal Security Administrator.

3. The functions, duties, powers, personnel, property, records, and funds (including all unexpended balances of appropriations, allocations, and other available funds) of the Office of Defense Health and Welfare Services, and the Health and Medical Committee and the other advisory committees and subcommittees appointed pursuant to the said Executive Order No. 8890 and their respective functions, duties, powers, personnel, property, records, and funds, are transferred to the Federal Security Agency.

4. The functions, duties, and powers transferred by this order shall be administered under the direction and supervision of the Federal Security Administrator through an office to be established by him and to be known as the Office of Community War Services, or through such other offices, agencies, officers, and persons in the Federal Security Agency as he shall designate and in such manner as he shall direct.

5. Any provision of any prior Executive order in conflict with the provisions

of this order is superseded to the extent of such conflict.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,  
April 29, 1943.

[F. R. Doc. 43-6695; Filed, April 29, 1943;  
4:04 p. m.]

### EXECUTIVE ORDER 9339

#### TRANSFER OF CIVIL AIR PATROL FROM THE OFFICE OF CIVILIAN DEFENSE TO THE DEPARTMENT OF WAR

By virtue of the authority vested in me by the Constitution and statutes of the United States, particularly by Title I of the First War Powers Act, 1941 (approved December 18, 1941), as President of the United States, and in order to provide for the national security and defense, and to expedite the prosecution of the war, it is hereby ordered as follows:

1. The Civil Air Patrol, established in the Office of Civilian Defense, pursuant to Executive Order No. 8757 of May 20, 1941,<sup>1</sup> as amended by Executive Order No. 9134 of April 15, 1942,<sup>2</sup> and all of its functions, duties, and powers (including those of the National Commander of the Civil Air Patrol), and all of the functions, duties, and powers of the Office of Civilian Defense and of the Director thereof which relate to the Civil Air Patrol (including those relating to the office of the National Commander) are transferred to the Department of War, and shall be administered under the direction and supervision of the Secretary of War by such officers, commands, agencies, or persons under his jurisdiction as he may designate.

2. All property (including records, files, supplies, furniture, and equipment) and all civilian and military personnel of the Office of Civilian Defense primarily used in the administration of the functions transferred by this order are transferred to the Department of War for use in the administration of such functions.

<sup>1</sup> 6 F. R. 2517.

<sup>2</sup> 7 F. R. 2887.

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<sup>1</sup> 6 F. R. 4625.





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3. So much of the unexpended balances of appropriations, allocations, or other funds available, or to be made available, for the use of the Office of Civilian Defense in the performance of the functions transferred by this order as the Director of the Bureau of the Budget shall determine, shall be transferred to the Department of War for use in connection with the administration of the functions so transferred. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer.

4. This order shall become effective immediately and shall continue in force and effect until the termination of Title I of the First War Powers Act, 1941.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,

April 29, 1943.

[F. R. Doc. 43-6694; Filed, April 29, 1943; 4:04 p. m.]

#### Regulations

##### TITLE 7—AGRICULTURE

##### Chapter I—Food Distribution Administration

##### REDESIGNATION OF CHAPTERS

Pursuant to the provisions of Executive Order No. 9280 of December 5, 1942 (7 F.R. 10179) and Executive Order No. 9322 of March 26, 1943 (8 F.R. 3807), as amended by Executive Order No. 9334 of April 19, 1943 (8 F.R. 5423), *It is hereby ordered*, That the titles of Chapters I, VIII, IX, X, and XI of Title 7, Agriculture, Code of Federal Regulations, be, and the same hereby are, redesignated as "War Food Administration".

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done in Washington, D. C., this 29th day of April 1943.

[SEAL]

CHESTER C. DAVIS,  
War Food Administrator.

[F. R. Doc. 43-6755; Filed, April 30, 1943; 11:55 a. m.]

##### Chapter VIII—Food Distribution Administration

##### REDESIGNATION OF CHAPTER

NOTE: For order redesignating Chapter VIII as "War Food Administration," see Chapter I, *supra*.

##### Chapter IX—Food Distribution Administration

##### REDESIGNATION OF CHAPTER

NOTE: For order redesignating Chapter IX as "War Food Administration," see Chapter I, *supra*.



# Chapter X—Food Production Administration

## REDESIGNATION OF CHAPTER

NOTE: For order redesignating Chapter X as "War Food Administration," see Chapter I, *supra*.

# Chapter X—War Food Administration

[FPO 9, Revised]

## PART 1220—OILSEEDS

### INVENTORY LIMITATION OF OILSEED MEAL

Section 1220.2 is hereby revised and amended to read follows:

§ 1220.2 *Inventory limitation of oilseed meal*—(a) *Definitions*. For the purposes of this order:

(1) "Oilseed meal" means cottonseed oil meal, cake or pellets, soybean oil meal, cake or pellets, peanut oil meal, cake or pellets, and linseed oil meal, cake or pellets.

(2) "Fifteen days' supply" or "thirty days' supply" means the total tonnage of any oilseed meal which, based on his current method and rate of operation, is needed by a person to fill his manufacturing, sales, or consumption requirements during a period of fifteen or thirty days, respectively, next succeeding any given date.

(3) "Estimated delivery date" means the date determined by adding to the date of shipment specified in a purchase order the usual number of days required for transit of oilseed meal from shipping point to destination point on board railroad car or truck.

(4) "Purchase order" means any contract or offer to purchase, any agreement to acquire by exchange, any request for shipment or delivery under existing contracts, or any other action taken by any person to obtain delivery of oilseed meal.

(5) "Delivery date inventory" means the quantity of oilseed meal which a person has on hand on the date he places a purchase order, plus the quantity of oilseed meal to be delivered to such person pursuant to other outstanding purchase orders between the date of such purchase order and the estimated delivery date of the oilseed meal covered thereby, minus the quantity of oilseed meal which he will use in meeting his manufacturing, sales or consumption requirements during such period.

(6) "Person" means any individual, partnership, corporation, association, or any other organized group of persons, and shall include any agent, agency, or any person acting for or on behalf of any of the foregoing.

(7) "Processor" means any person operating a processing plant for producing any oilseed meal.

(8) "Feeder" means any person who buys oilseed meal for feeding livestock or poultry.

(9) "Director" means the Director of Food Production, or, in his absence, the Acting Director of Food Production.

(b) *Inventory limitation*. (1) No person other than a feeder shall place any purchase order for any oilseed meal if, on the estimated delivery date, the tonnage ordered plus the delivery date inventory of such person would exceed a fifteen days' supply; and no feeder shall place any such purchase order if, on the estimated delivery date, the tonnage ordered plus the delivery date inventory of such feeder would exceed a thirty days' supply. No person other than a feeder shall accept delivery of any oilseed meal which, together with such person's inventory of oilseed meal, would exceed a fifteen days' supply; and no feeder shall accept delivery of any oilseed meal which, together with such feeder's inventory, would exceed a thirty days' supply.

(2) The limitations of paragraph (b) (1) hereof shall not apply to the following purchases of oilseed meal:

(i) Purchases by any person in minimum carload lots, as determined pursuant to Office of Defense Transportation regulations, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person.

(ii) Purchases by any person in quantities of 2,000 pounds or less, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such person.

(iii) Purchases by any ranchman, if such purchases are made in quantities and at intervals which are in accordance with purchases regularly made by such ranchman, and such purchases are necessary for economical use of transportation facilities under Office of Defense Transportation regulations and to provide a readily available supply of oilseed meal for ranch feeding purposes.

(c) *Limitation on deliveries*. No person shall deliver oilseed meal to any person unless the person to whom such oilseed meal is to be delivered tenders at or before the time of delivery a certificate in substantially the following form:

The undersigned certifies to his vendor and the United States Department of Agriculture that he is familiar with the provisions of Food Production Order No. 9, as revised by the War Food Administrator on April 29, 1943, and all amendments thereto (if any), and that the purchase or acceptance of the quantity of oilseed meal ordered from said vendor will not cause his inventory of oilseed meal to exceed the quantity permitted by Food Production Order No. 9, as amended, or that such purchase or delivery falls under one of the exceptions specified in such order.

Purchaser	
Date	Address

(d) *Processors' inventories*. If on the last day of any month, the inventory of oilseed meal which any processor has acquired by crushing or otherwise exceeds the quantity acquired by crushing or otherwise during the fifteen day period immediately preceding the end of such month or his inventory of oilseed meal on the last day of the corresponding month of the calendar year 1942, whichever quantity is greater (such

quantity being hereinafter referred to as the processor's permissible inventory), such processor shall not during the succeeding month acquire any oilseed meal by crushing or otherwise until or unless his inventory of oilseed meal has been reduced to the processor's permissible inventory.

(e) *Records and reports*. Every person subject to this order shall maintain for not less than two years accurate records concerning all sales, purchases, contracts for sale or purchase, and deliveries of oilseed meal affected by this order. Every person subject to this order shall also maintain such other records, execute and file such reports, upon such forms, and submit such information as the Director of Food Production may from time to time request or direct, and within such time as he may prescribe. (The record keeping requirement of this paragraph has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping and reporting requirements are subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Audits and inspections*. Every person subject to this order shall, upon request, permit inspection at all reasonable times by duly authorized representatives of the Director of his stocks of oilseeds and oilseed meal and of the premises used for crushing, processing, manufacturing, or storing the same; and all of his books, records and accounts shall, upon request, be submitted to audit and inspection by duly authorized representatives of the Director.

(g) *Petition for relief from hardship*. Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and information and the nature of the relief sought. The Director, upon the basis of such application and other information, may take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(h) *Violations*. Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may by administrative suspension order be prohibited from receiving any deliveries of or selling or otherwise disposing of or using any oilseed meal or any other material now or hereafter authorized to be rationed or allocated by, or subject to the priority control of, the War Food Administrator, and may be deprived of any priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who vio-



lates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 9.

(j) *Delegation of authority.* The administration of this Food Production Order No. 9 and the powers conferred upon the War Food Administrator by Executive Order No. 9280 and Executive Order 9322, as amended by Executive Order No. 9334, insofar as such powers relate to the administration of this order, are hereby delegated to the Director or, in his absence, to the Acting Director. The Director of Food Production shall be assisted in the administration of this order by such employees of the Department of Agriculture as he may designate, and such employees are hereby authorized to administer the provisions of this order.

(k) *Commodity Credit Corporation Oilseed Order No. 6 superseded.* This order supersedes in all respects Oilseed Order No. 6<sup>1</sup> issued by the Commodity Credit Corporation on December 24, 1942, except that as to violations of said order or rights accrued, liabilities incurred, or appeals taken under said order, said Oilseed Order No. 6 shall be deemed in full force and effect for the purpose of sustaining any proper suit, action or other proceeding with respect to any such violation, right or liability. Any appeal pending under said Oilseed Order No. 6 shall be considered under paragraph (g) hereof.

(l) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., May 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 29th day of April, 1943. Witness my hand and the seal of the Department of Agriculture.

[SEAL]

CHESTER C. DAVIS,  
War Food Administrator.

[F. R. Doc. 43-6757; Filed, April 30, 1943;  
11:57 a. m.]

[FPO 11]

PART 1225—PYRETHRUM INSECTICIDE  
AGRICULTURAL USE OF PYRETHRUM  
INSECTICIDE

Pursuant to Executive Order No. 9280<sup>1</sup> dated December 5, 1942, Executive Order No. 9322<sup>2</sup> dated March 26, 1943, and Executive Order No. 9334<sup>3</sup> dated April 19, 1943, and in order to assure an adequate production of food to meet war and

civilian needs, It is hereby ordered, That:

§ 1225.1 *Pyrethrum insecticide*—(a) *Definitions.* For the purposes of this order:

(1) "Pyrethrum insecticide" means any compound derived from pyrethrum flowers containing pyrethrins combined with other liquid or dry materials, either active or inert: *Provided*, That such compound is suitable for use as an insecticide for the purposes set forth in paragraph (b) (1) hereof.

(2) "Mixer" means any person engaged in the production and sale of pyrethrum insecticides.

(3) "Dealer" means any person engaged in selling pyrethrum insecticides to any other person for use, and includes a mixer insofar as he engages in so selling pyrethrum insecticides.

(4) "Victory garden" means any garden planted primarily for the non-commercial production of vegetables.

(5) "Person" means any individual, partnership, corporation, association, or any other organized group of "persons", and shall include any agent, agency, or any "person" acting for or on behalf of any of the foregoing. The term "person" shall also include the United States or any agency thereof, and a State or any political subdivision or agency thereof.

(6) "Director" means the Director of Food Production, or, in his absence, the Acting Director of Food Production.

(b) *Restrictions on deliveries and use of pyrethrum insecticide.* (1) Except as provided in paragraph (c) hereof and except as specifically authorized or directed by the Director, no dealer shall deliver any pyrethrum insecticide to any person for use for agricultural purposes, unless he has received from such person a certificate substantially in the form set out in paragraph (d) (1) hereof, showing that such person will use the pyrethrum insecticide ordered solely for one or more of the following purposes:

(i) *Commercial crops.* Cole crops, including cabbage, control of caterpillars; sugar and other beet seed crops, control of leafhoppers and plant bugs; seed and sweet corn, control of corn earworm; beans, control of leafhoppers; potatoes, control of leafhoppers; grapes, control of leafhoppers on raisin grapes; cranberries, control of worms and leafhoppers.

(ii) Vegetables grown in home, farm, community and victory gardens for the control of pests.

(iii) *Others.* Use in the protection of cattle and in dairy barns, dairies, creameries, cheese factories and related establishments handling dairy products.

(2) No person shall accept delivery of any pyrethrum insecticide which he knows or has reason to believe is delivered in violation of this order.

(3) No person shall use pyrethrum insecticide received by him except for the purpose or purposes certified in the certificate furnished by him under paragraph (b) (1) hereof.

(c) *Exceptions to requirement of certificate showing permitted use.* Notwith-

standing the provisions of paragraph (b) (1) hereof, delivery may be made, without the certificate of use provided for by such paragraph (b) (1), of not more than three pounds of pyrethrum insecticide, if in a solid form, or not more than one quart, if a liquid, to any person.

(d) *Customer's certificate of use.* (1) The certificate required by paragraph (b) (1) hereof shall be in substantially the following form:

The undersigned purchaser hereby certifies to the Food Production Administration and to his dealer, pursuant to Food Production Order No. \_\_\_\_\_, that the \_\_\_\_\_ lbs., or gals., of pyrethrum insecticide described below hereby ordered for delivery in \_\_\_\_\_ (Month)

194\_\_\_\_, will be used for the following purposes only \_\_\_\_\_

Description of insecticide \_\_\_\_\_  
(For instructions see paragraph (d) (2) hereof)

\_\_\_\_\_  
Name of purchaser

By \_\_\_\_\_  
Duly authorized official

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

Such certificate may be endorsed on or accompany the order for pyrethrum insecticide. It shall be signed by the purchaser. In the event such purchaser is a corporation or cooperative association, it shall be signed by a duly authorized officer of such corporation or association. The receipt of such certificate shall not authorize the delivery of pyrethrum insecticide by any dealer where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe he may rely on the certificate.

(2) In the certificate set out, in paragraph (d) (1) hereof, one or more of the uses listed under paragraph (b) (1) hereof shall be specified.

(e) *Records and reports.* Mixers shall keep and retain for not less than two years detailed records of their production and deliveries of pyrethrum insecticides, including the quantities and kinds produced and delivered, and the persons to whom deliveries are made. Dealers shall keep the certificates required by paragraph (b) (1) hereof on file for not less than two years. Mixers and dealers shall make such reports to the Director, concerning production and deliveries of pyrethrum insecticides as the Director may require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942. (The record keeping requirement of this paragraph has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.)

(f) *Audits and inspections.* Each mixer and dealer shall, upon request, submit his books, records, and accounts for audit and inspection by duly authorized representatives of the Director.

(g) *Notification of customers.* Each mixer and dealer shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse such

<sup>1</sup> 7 F.R. 10901, 8 F.R. 44, 820.

<sup>2</sup> 7 F.R. 10179.

<sup>3</sup> 8 F.R. 3807.

<sup>4</sup> 8 F.R. 5423.



person from complying with the terms hereof.

(h) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, or who conspires with another person to perform any of such acts, is guilty of a crime and upon conviction may be punished by fine and imprisonment. In addition, any such person may, by administrative suspension order, be prohibited from receiving any deliveries of or selling or otherwise disposing of pyrethrum insecticide or any other material now or hereafter authorized to be rationed or allocated by, or subject to, the priority control of, the War Food Administrator, and may be deprived of any priority assistance. Further, the Director of Food Production may recommend to the Office of Price Administration or to the War Production Board that any person who violates any provision of this order or any amendment or supplement thereto be denied the right to receive, use, sell or otherwise dispose of any other materials which now are or in the future may be under allocation.

(i) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional and unreasonable hardship on him may apply in writing for relief to the Director, setting forth in such petition all pertinent facts and information. The Director may, upon the basis of such application and other information, take such action as he deems appropriate. The decision of the Director shall be in writing and shall be final and conclusive.

(j) *Delegation of authority.* The administration of this Food Production Order No. 11 and the powers conferred by Executive Order No. 9280 and Executive Order No. 9322, insofar as such powers relate to the administration of this order, are hereby delegated to the Director or, in his absence, to the Acting Director. The Director of Food Production shall be assisted in the administration of this order by such employees of the Administration of Food Production as he may designate, and such employees are hereby authorized to administer the provisions of this order.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued, be addressed to the United States Department of Agriculture, Food Production Administration, Washington, D. C., Ref. FPA 11.

(l) *Effective date.* This order shall become effective 12:01 a. m., E. W. T., the 1st day of May, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Done at Washington, D. C., this 29th day of April, 1943. Witness my hand

and the seal of the Department of Agriculture.

[SEAL] CHESTER C. DAVIS,  
War Food Administrator.

[F. R. Doc. 43-6758; Filed, April 30, 1943;  
11:57 a. m.]

## Chapter XI—Food Distribution Administration

### REDESIGNATION OF CHAPTER

NOTE: For order redesignating Chapter XI as "War Food Administration," see Chapter I, *supra*.

## Chapter XI—War Food Administration

[FDO 5, Amendment 1]

### PART 1490—MISCELLANEOUS FOOD PRODUCTS

#### RESTRICTING PACKAGING OF CHICORY AND SALE OF PACKAGED CHICORY

Pursuant to the authority vested in me by Executive Order No. 9280, dated December 5, 1942, and Executive Order No. 9322, dated March 26, 1943, as amended by Executive Order No. 9334, dated April 19, 1943, and in order to assure an adequate supply and efficient distribution of chicory to meet war and essential civilian needs, *It is hereby ordered*, That Food Distribution Order No. 5 (8 F.R. 512) issued by the Secretary of Agriculture on January 12, 1943, be, and the same hereby is, amended as follows:

1. By deleting the words "Restricting the sale and delivery of packaged chicory" from the title of such order, and inserting, in lieu thereof, the following: "restricting the packaging of chicory and the sale of packaged chicory."

2. By adding to § 1490.1 (a) of said order, the following:

(5) "Bulk chicory" shall mean chicory which is not sold in consumer size packages intended or suitable for retail distribution.

(6) "Package" shall mean the act of placing chicory in consumer size packages intended or suitable for retail distribution.

3. By deleting therefrom the provisions in § 1490.1 (b), of said order, and inserting, in lieu thereof, the following:

(b) *Restrictions.* (1) No processor shall package, during the period from April 1, 1943, to December 31, 1943, inclusive, a total amount of chicory which is in excess of 25 percent of the total amount of bulk chicory which was delivered by him during such period to persons other than processors.

(2) No processor shall sell in any three-month period commencing April 1, 1943, July 1, 1943, and September 1, 1943, respectively, a total quantity of packaged chicory which is in excess of 25 percent of the total quantity of bulk chicory which was delivered by him to persons

other than processors in the same three-month period.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 29th day of April 1943.

[SEAL] CHESTER C. DAVIS,  
War Food Administrator.

[F. R. Doc. 43-6756; Filed, April 30, 1943;  
11:57 a. m.]

## TITLE 10—ARMY: WAR DEPARTMENT

### Chapter III—Claims and Accounts

#### PART 33—GRATUITY UPON DEATH

##### SETTLEMENT OF ARREARS IN PAY

Section 33.8 is amended as follows:

§ 33.8 *Settlement of arrears of pay.* The accounts of deceased Army personnel are settled by the General Accounting Office, Claims Division, Washington, D. C., to which office any claim for arrears of pay, that is, the pay due the deceased at the time of his death, should be made by the nearest heir, executor, or administrator of the estate. Standard Form No. 1055 will be used for the purpose and will be furnished the proper claimants by the Finance Officer, U. S. Army, Washington, D. C. Letters testamentary, if claim is filed by executor or administrator of the estate, and receipted itemized undertaker's bill, if claim is made for reimbursement of funeral expenses, will accompany the claim when forwarded.

(Secs. 1, 2, 41 Stat. 367, sec. 9, 41 Stat. 766, 42 Stat. 1385; 10 U.S.C. 903) [Par. 10, AR 35-1540, December 19, 1942, as amended by C 2, April 2, 1943]

[SEAL] H. B. LEWIS,  
Brigadier General,  
Acting The Adjutant General.

[F. R. Doc. 43-6710; Filed, April 30, 1943;  
9:41 a. m.]

### Chapter V—Military Reservations and National Cemeteries

#### PART 57—SERVICE CLUBS, HOSTESSES, AND LIBRARIES

##### QUALIFICATIONS FOR HOSTESSES

Section 57.13 (c) (2) and (d) (2) is hereby amended as follows:

§ 57.13 *Qualifications.* \* \* \*

(c) *Director of service club.* \* \* \*

(2) Graduate of a college of recognized standing or 2 years of college education and demonstrated ability to direct a service club by having served in an excellent manner as junior hostess.

(d) *Recreational and social hostess.* \* \* \*

(2) A minimum of 2 years in a college or a university of recognized standing. (R.S. 161; 5 U.S.C. 22) [Par. 18c and d,



AR 850-80, August 26, 1942, as amended by C 3 April 3, 1943]

[SEAL]

H. B. LEWIS,  
Brigadier General,  
Acting The Adjutant General.

[F. R. Doc. 43-6711; Filed, April 30, 1943;  
9:41 a. m.]

## TITLE 17—COMMODITY AND SECURITIES EXCHANGES

### Chapter II—Securities and Exchange Commission

#### PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

##### REPEAL OF RULE GRANTING TEMPORARY EXEMPTION; CLEVELAND STOCK EXCHANGE

Repeal of rule granting temporary exemption from sections 7, 8, 12 and 13 of the Securities Exchange Act of 1934 of certain passbooks and assignments of claims traded on the Cleveland Stock Exchange.

The Securities and Exchange Commission, deeming it necessary for the execution of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, as amended, particularly sections 3 (a) (12) and 23 (a) thereof, hereby repeals its § 240.3a12-1 [Rule X-3A12-1].

Effective May 1, 1943.

By the Commission,

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-6709; Filed, April 30, 1943;  
9:41 a. m.]

## TITLE 20—EMPLOYEES' BENEFITS

### Chapter III—Social Security Board, Federal Security Agency

#### PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

##### DETERMINATION OF CURRENTLY INSURED STATUS

This regulation, effective January 1, 1940, amends Regulations No. 3<sup>1</sup> (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending § 403.202 of Regulations No. 3, as amended, as follows:

1. Paragraph (c) of § 403.202 is amended so as to read:

§ 403.202 *Currently insured status.*

<sup>1</sup> 5 F.R. 1849. For a chronological description of the statutory basis for the old-age and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (§ 403.1, Title 20, Code of Federal Regulations, 1940 Supp.)

(c) "Wages" paid "for" a quarter. (1) For the purpose of this section, in determining whether the individual has been paid "wages" of \$50 for a quarter, the provisions of sections 209 (a) (1), 209 (a) (2), and 209 (g) of the Act with respect to an individual who has been paid remuneration of \$3,000 or more in a calendar year (see §§ 403.828 (a) and 403.201 of these Regulations) do not apply.

(2) Moreover, the basis for determining currently insured status differs from the provisions with respect to fully insured status in that the basis for determining currently insured status is wages paid "for" a calendar quarter, while a quarter of coverage under section 209 (g) of the Act is basically defined in terms of wages paid "in" a calendar quarter. In the absence of evidence showing the contrary, it will be presumed, for the purposes of determining currently insured status, that wages paid in a calendar quarter have been paid for that quarter.

2. Section 403.202 is further amended by adding thereto a new example, (3), as follows:

*Example 3.* In the second quarter of 1941, A is paid wages of \$3,000, for the first two quarters of that year, by one or more employers, and thereafter he is paid remuneration for services rendered in "employment" at the rate of \$50 or more for each subsequent quarter of the year. The wage earner has acquired four quarters toward a currently insured status during that year. The same result would apply if this remuneration had been paid in the same manner for services in employment rendered for a single employer in the year 1937, 1938, or 1939.

(Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C. sec. 405 (a), 1302)

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 23d day of April 1943.

A. J. ALTMAYER,  
SOCIAL SECURITY BOARD,  
Chairman.

Approved: April 26, 1943.

PAUL V. McNUTT,  
Federal Security Administrator.

[F. R. Doc. 43-6744; Filed, April 30, 1943;  
11:26 a. m.]

#### PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

##### DEDUCTIONS BECAUSE OF EMPLOYMENT

This regulation, effective January 1, 1940, amends Regulations No. 3<sup>1</sup> (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending § 403.503 of Regulations No. 3, as amended, as follows:

1. The following sentence is inserted at the end of paragraph (a) of § 403.503, immediately prior to "Example 1":

In determining, for the purpose of this section, whether an individual has ren-

dered services for "wages" of not less than \$15, the provisions of section 209 (a) (2) of this Act (see § 403.828 (a) (2) of these regulations) do not apply.

2. Section 403.503 (a) is further amended by adding thereto a new example, (3), as follows:

*Example 3:* A is entitled to a primary insurance benefit of \$25. In the months of April, May, and June he renders services for the total wages of \$3,000. In July he renders services in employment for remuneration of \$500. The total amount to be deducted is \$100, notwithstanding the fact that for other purposes any amount paid in excess of \$3,000 in a calendar year is not considered "wages" because of the provisions of section 209 (a) (2) of the Act. [Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C., sec. 405 (a), 1302]

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 23d day of April 1943.

[SEAL] SOCIAL SECURITY BOARD,  
A. J. ALTMAYER,  
Chairman.

Approved: April 26, 1943.

PAUL V. McNUTT,  
Federal Security Administrator.

[F. R. Doc. 43-6745; Filed, April 30, 1943;  
11:26 a. m.]

#### PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

##### EXECUTION AND VERIFICATION OF APPLICATIONS

This regulation amends Regulations No. 3<sup>1</sup> (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending § 403.701 of Regulations No. 3, as amended, as follows:

1. Paragraph (b) of § 403.701 is amended so as to read:

(b) *Execution and verification of applications.* Applications for benefits and lump sums shall be signed by the person described in paragraph (c) of this section, and shall be verified by his oath or affirmation made before:

- (1) An officer duly authorized to administer oaths generally;
- (2) An official of a court;
- (3) A postmaster;
- (4) A rural mail carrier (excluding persons under contract to deliver mail);
- (5) A federal official to whom the individual verifying the application is personally known, who so states and who lists his official title (the term "federal official" means an officer of the United States or an executive or administrative employee of the United States holding a position which requires the exercise of judgment, discretion, and substantial responsibility);
- (6) An employee of the Board who has been authorized to administer such oaths; and
- (7) In the case of individuals in the armed forces of the United States (where-



ever located, any commissioned officer of the United States Army, Navy, Marine Corps, or Coast Guard.

Except in the case of applications verified by individuals in the armed forces of the United States pursuant to item (7) above, applications executed outside the United States shall be signed and verified under oath or affirmation before an officer duly authorized to administer such oaths, or oaths of a similar character, or by a consular officer of the United States. If a foreign official using no seal acts as attesting officer, the authority of such attesting officer should ordinarily be certified to by an official using a seal who has knowledge of the appointment and official character of the attesting officer. [Sec 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U.S.C. sec. 405 (a), 1302.]

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 23d day of April, 1943.

[SEAL] SOCIAL SECURITY BOARD,  
A. J. ALTMAYER,  
Chairman.

Approved: April 26, 1943.

PAUL V. McNUTT,  
Federal Security Administrator.

[F. R. Doc. 43-6746; Filed, April 30, 1943;  
11:26 a. m.]

#### PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE

##### SUPPORTING EVIDENCE AS TO RIGHT TO RECEIVE BENEFITS AND LUMP SUMS

This regulation amends Regulations No. 3<sup>1</sup> (Part 403, Title 20, Code of Federal Regulations, 1940 Supp.), by amending § 403.702 of Regulations No. 3, as amended, as follows:

1. The third sentence of paragraph (b) of § 403.702 is amended so as to read:

Evidence of age, except as provided in paragraph (j) of this section, shall be of the following character:

2. The first sentence of paragraph (d) of § 403.702 is amended so as to read:

Except as provided in paragraph (j) of this section, a wife or widow who applies for benefits (see paragraph (k) of this section as to applications for lump sums) upon the basis of the wages of her husband or deceased husband shall file supporting evidence as specified below as to her marriage to such individual, and as to the time and place of marriage.

3. The first two sentences of paragraph (e) (1) of § 403.702 are amended so as to read:

<sup>1</sup> 5 F.R. 1849. For a chronological description of the statutory basis for the old-age and survivors insurance system under title II of the Social Security Act, as amended, and the regulations which have been issued thereunder, see § 403.1 of Regulations No. 3 of the Social Security Board. (§ 403.1, Title 20, Code of Federal Regulations, 1940 Supp.)

(1) Except as provided in paragraph (j) of this section, an applicant for child's insurance benefits shall file the following supporting evidence of his relationship to the parent upon the basis of whose wages benefits are claimed (see paragraph (k) of this section as to applications for lump sums):

4. Paragraph (e) (2) of § 403.702 is amended by amending the parenthetical sentence following the first sentence of that subparagraph so as to read:

(See paragraph (k) of this section as to applications for lump sums.)

5. Paragraphs (j) and (k) of § 403.702 are changed to (k) and (l) respectively and a new paragraph, designated (j), is inserted immediately following paragraph (i) and reads as follows:

(j) Evidence in application for widow's current and child's insurance benefits not aggregating more than \$150 or the lump sum. When an application or applications have been filed for widow's current and/or child's insurance benefits, and it is apparent, from reference to the alleged age of the child or children for whom application is made, that the total benefits payable will not exceed (1) \$150 or (2) the amount of a lump-sum death payment under section 202 (g) of the Act computed on the basis of the wage record of the deceased wage earner, whichever is greater, then in lieu of the supporting evidence required in paragraphs (b), (d), and (e) of this section, as to the age, relationship (other than by adoption), and marriage (other than common-law marriage), of the applicants, a verified statement setting forth the facts submitted by (or on behalf of) the applicants as to such age, relationship, or marriage, may be accepted. For required evidence of a common-law marriage or adoption, see paragraphs (d) (2) and (e) (1) (ii) of this section. [Sec. 205 (a), 53 Stat. 1368, sec. 1102, 49 Stat. 647; 42 U. S. C. sec. 405 (a), 1302.]

In pursuance of sections 205 (a) and 1102 of the Social Security Act, as amended, the foregoing regulation adopted by the Board is hereby prescribed this 23d day of April 1943.

[SEAL] SOCIAL SECURITY BOARD,  
A. J. ALTMAYER,  
Chairman.

Approved: April 26, 1943,

PAUL V. McNUTT,  
Federal Security Administrator.

[F. R. Doc. 43-6747; Filed, April 30, 1943;  
11:26 a. m.]

#### TITLE 30—MINERAL RESOURCES

##### Chapter III—Bituminous Coal Division

[Order No. 353]

##### PART 308—REPORTS AND RECORDS

###### ORDER GRANTING RELIEF

An order relieving code members within District No. 14 from filing monthly ton-

nage reports required by the rules and regulations prescribed by order in General Docket No. 24.

The Bituminous Coal Producers Board for District No. 14 having requested that the code members within said district be relieved from filing the monthly tonnage reports required to be filed pursuant to the Rules and Regulations Requiring Tonnage Reports from Code Members, established by Order in General Docket No. 24, dated April 7, 1942, 7 F. R. 2894, and having shown good cause why such request should be granted;

It is ordered, That § 308.26 (Rules and regulations requiring tonnage reports from code members to facilitate the levying and collection of code assessments by district boards) be amended to provide that the code members within District No. 14 be, and they are hereby relieved, until further Order of the Division, from filing with the Statistical Bureau for District No. 14 monthly tonnage data on Form B. C. D. No. 718, with respect to coal produced on and after January 1, 1943. Sec. 10 (a) 50 Stat. 88, 15 U.S.C. Supp. 840 (a); Sec. 2 (a) 50 Stat. 72; 15 U.S.C. 829 (a).

Dated: April 27, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6724; Filed, April 30, 1943;  
11:09 a. m.]

#### TITLE 32—NATIONAL DEFENSE

##### Chapter IX—War Production Board

###### Subchapter A—General Provisions

##### PART 903—DELEGATIONS OF AUTHORITY

[Directive 19]

###### BITUMINOUS COAL IN CARS ON TRACK

§ 903.31 Directive 19. Pursuant to Executive Order 9024 and 9040, it is hereby certified that it is necessary in the public interest and to promote the defense of the United States that the transportation and delivery of bituminous coal be regulated in such manner as to give full effect to War Production Board Order No. M-316 which has been issued this day. The Office of Defense Transportation is hereby authorized and directed to take such action as may be appropriate in the premises.

(E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 30th day of April 1943.

DONALD M. NELSON,  
Chairman.

[F. R. Doc. 43-6759; Filed, April 30, 1943;  
12:31 p. m.]



## Subchapter B—Executive Vice Chairman

**AUTHORITY:** Regulations in this subchapter issued under P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.

**PART 940—RUBBER AND BALATA AND PRODUCTS AND MATERIALS OF WHICH RUBBER OR BALATA IS A COMPONENT**

## [Supplementary Order M-15-h]

**RESTRICTIONS ON THE DISPOSITION OF CERTAIN RUBBER PRODUCTS**

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of rubber and balata for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 940.10 *Supplementary Order M-15-h—(a) Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency or any organized group of persons, whether incorporated or not.

(2) "Manufacturer" means any person regularly engaged in the business of producing any rubber product or type thereof listed in Schedule A, attached to this order.

(3) "Rubber product" means any finished rubber product or part thereof (including "firsts," "seconds" and "rejects" whether factory "rejects" or rejected on war orders) made in whole or in part from crude rubber, latex synthetic rubber, scrap rubber or reclaimed rubber which is usable in its present state for a purpose for which it was designed, but does not mean or include any scrap rubber product, as defined in Supplementary Order M-15-b, as amended from time to time.

(4) "War orders" means war orders as defined in Supplementary Order M-15-b, as amended from time to time.

(b) *Restrictions on the sale or other disposition of rubber products.* No person shall sell, deliver or otherwise transfer any rubber product listed in Schedule A, attached to this order, except:

(1) To fill war orders; or

(2) To any person falling within a class indicated on Schedule A as being a class to whom the particular rubber product may be sold or transferred; or

(3) Pursuant to a specific authorization in writing of the War Production Board; or

(4) As permitted by Priorities Regulation 13.

(c) *Purchase orders or contracts for which certification is required by Schedule A.* (1) Purchase orders or contracts for which certification is required by Schedule A, attached to this order, shall be filled only after a certification has been filed with the seller (in addition to

any other certification which may be required by regulations of the War Production Board), in substantially the following form, signed by an authorized official, either manually or as provided in Priorities Regulation No. 7:

The undersigned hereby certifies to \_\_\_\_\_ (insert name and address of seller) and to the War Production Board that he is familiar with Supplementary Order M-15-h, and that he will not sell any rubber products purchased from the above named seller pursuant to the accompanying purchase order or any future purchase orders or contracts in violation of the terms of such order.

No such certification shall be required for the sale or delivery of rubber products to any person who has already filed such certification with his seller, in accordance with this paragraph (c) (1).

(2) Any person from whom rubber products are to be acquired may rely on such certification unless he knows or has reason to believe that the certification is false.

(d) *Miscellaneous provisions—(1) Revocation of existing orders and directions.* Orders or directions heretofore issued to manufacturers individually by the Director General for Operations or the Rubber Director governing the sale, delivery or other disposition of any rubber product or type thereof listed in Schedule A, attached to this order, are hereby revoked and shall be superseded by the provisions of this order.

(2) *Reports.* Each manufacturer of any rubber product listed in Schedule A, attached to this order, shall report by letter to the Office of the Rubber Director the number of "firsts" and of "seconds" and "rejects" of each type of any such product included in Schedule A, manufactured by him in any quarterly period

beginning May 1, 1943 not later than the 15th day of the calendar month following the quarterly period in which such manufacture took place.

(3) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(4) *Audit and inspection.* All records required to be kept by this order or by any regulation of the War Production Board shall, upon request, be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(5) *Violations.* Any person who willfully violates any provision of this order or who in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priorities control and may be deprived of priorities assistance.

(6) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to the Office of the Rubber Director, War Production Board, Washington, D. C. Ref.: M-15-h.

**NOTE:** The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

## SCHEDULE A

[Rubber product including "firsts," "seconds" and "rejects" (whether factory "rejects" or rejected on war orders)]

*Classes of persons to whom disposition of rubber product may be made by sale or otherwise*

## GROUP I

Gloves of the following types:

- (a) Surgeons' gloves.
- (b) Autopsy and mortuary gloves.

- (1) Hospitals, clinics, surgeons, physicians, medical schools, dental schools, dentists, morticians, undertaking establishments or schools, morgues, veterinarians or veterinary hospitals; or
- (2) Any person regularly engaged in the business of acquiring such rubber products for resale to persons falling within classes designated in (1) for Group I products, or as otherwise provided in paragraph (b) of the order, but only upon certification.\*

## GROUP II

Industrial gloves of the following types:

- (a) Rubberized fabric gloves;
- (b) Net lined gloves, except hand made gloves of calendered stock;
- (c) All rubber gloves (including electricians' gloves) less than 12 inches in length and with a gauge of less than twenty-six one thousandths of an inch.

- (1) Industrial or commercial users; or
- (2) Any person regularly engaged in the business of acquiring such rubber products for resale to persons falling within classes designated in (1) for Group II products, or as otherwise provided in paragraph (b) of the order, but only upon certification.\*

\*See paragraph (c) of the order for certification.



## PART 990—CHLORINE IN PULP, PAPER AND PAPERBOARD

[Limitation Order L-11 as Amended April 30, 1943]

Whereas the production of pulp, paper and paperboard consumes large quantities of chlorine; national defense requirements have created a shortage of chlorine; action has already been taken to conserve the supply and limit the use of chlorine in the production of pulp, paper and paperboard in order to insure its availability for essential defense and civilian requirements; increasing diversion of chlorine to defense uses requires further restrictions of its use in such production:

Now, therefore, it is hereby ordered, That:

§ 990.1 General Limitation Order L-11—(a) Definitions. For the purpose of this order:

(1) "Producer" means any individual, partnership, association, corporation or other form of business enterprise, engaged in the manufacture of pulp, paper or paperboard.

(2) "Brightness" means the degree of brightness determined by the General Electric Brightness Tester.

(3) "Semi-bleached grade" means that grade of pulp which prior to June 16, 1941, had a brightness of less than 70.

(4) "Calendar quarterly period" means the quarterly period commencing on the first day of the second, fifth, eighth, and eleventh months of the calendar year and ending, respectively, on the last day of the fourth, seventh, tenth, and first months of the calendar year.

(b) General restrictions relating to pulp, paper and paperboard. (1) No producer subject to this order shall, after the effective dates of the applicable provisions hereof, use chlorine in a quantity in excess of that specifically authorized herein or increase the brightness of pulp, paper or paperboard in excess of the degrees of brightness established herein.

(2) No producer shall increase the brightness of any pulp, paper or paperboard to a degree greater than the brightness of like pulp, paper or paperboard produced by him on June 11, 1941.

(c) Specific restrictions relating to pulps, effective November 1, 1941. The following restrictions in the use of chlorine shall become effective November 1, 1941:

(1) No producer shall use in any calendar quarterly period for the treatment of rag stock an average amount of chlorine per ton of rag stock treated greater than 80% of the average amount of chlorine per ton of rag stock treated used by such producer for the treatment of rag stock during the calendar quarterly period ending July 31, 1941.

(2) Except as provided in (c) (4) and (c) (6) hereof the brightness of the following pulps shall not exceed 74:

(i) Bleached sulphite.

(ii) Bleached sulphate.

(iii) Waste paper when used for conversion into bleached papers.

(3) Except as provided in (c) (4) and (c) (6) hereof the brightness of soda pulp shall not exceed 70.

(4) The brightness ceilings established in (c) (2) and (c) (3) hereof may be exceeded to the extent that the War Production Board may permit upon application accompanied by satisfactory proof that the applicant's process of achieving a higher brightness will further the program for the conservation of chlorine embodied in this order. Such applications should be addressed to the War Production Board, and marked Ref: L-11.

(5) No producer in any calendar quarterly period shall use more chlorine in the production of semi-bleached grades than 70% of his use of chlorine for similar production during the three-month period ending July 31, 1941.

(6) Notwithstanding the limitations set forth in (c) (2) and (c) (3), any producer in any calendar quarterly period may use, per ton of pulp produced for the following purposes requiring the use of chlorine as a processing, rather than as a bleaching agent, an amount of chlorine necessary for such processing: *Provided*, That in no case shall he use more chlorine per ton of pulp produced than he used for similar purposes during the three-month period ending July 31, 1941:

(i) In the processing into paper stock of rope, jute, hemp, flax, Sunn fiber, Benares fiber or like fibers;

(ii) In the processing of pulp for use in the manufacture of sanitary pads, hospital wadding, or wadding for use in the filtering of dissolving and nitrating pulps.

(7) Except for (i), (j), (k), (l), (m), and (n) hereof, this order shall not apply to the following pulps:

(i) High alpha pulps (not less than 90% alpha cellulose content).

(ii) Dissolving pulps.

(iii) Nitrating pulps.

(iv) Pulps used in the manufacture of photographic base papers.

(d) Specific restrictions relating to paper and paperboard, effective November 10, 1941. (1) Except as provided in (d) (2) hereof, after November 10, 1941 the brightness of the following grades of paper and paperboard shall not exceed the brightness ceilings specified below:

Division of industry	Grades	Brightness ceilings
Blotting	All grades	70
Book	A & B grades, including M. F. Super and Antique Book Publication Grades Rotogravure, M. F. and Super Litho and Label, Machine-coated grades, Offset, Envelope, C, D, & E grade book, including M. F. Super and Antique, Tablet, Drawing, Poster, Hanging, End Leaf, Band Stock, Linings	72 70 68

Division of industry	Grades	Brightness ceilings
Book	Gumming, Carbonizing, Body Stocks for all coated, other than machine-coated, No. 1 Grades, No. 2 Grades, No. 3 Grades	68 74 71 68
Cardboard	All grades uncoated and coating base stock	68
Groundwood	All grades	67
Kraft	Brown Envelope	40
Sulphite and Bleached Kraft	Bleached Group including M. F. and M. G. Waxing, Drug Wrapping and Fully Bleached Bag, M. F. and M. G. Opaque Waxing either beater filled or coated, Unbleached Group including Butchers Manila, Steam Finish and Dry Finish Grocers, Screenings, etc., Bag papers, Imitation Parchment and All Other, Envelope Manila and Wrapping Manila	70 67 60 60
Tissue	M. G. Wrapping, Toilet and Towel, Facial Cleaning, Wrapping Tissue No. 1 Grade, Waxing Tissue, Napkin Stock, Carpet Twisting, Creping Tissue, Kraft and Sulphite Fruit and Vegetable Wrap	60 67 68 70 67 70 62 70 60
Writing	Rag Content Papers: 75% Grade, 50% Grade, 25% Grade, Sulphite Papers, Writing Ledger, Bond, and Mimeograph: No. 1 Grade, No. 2 Grade, No. 3 and 4 Grades	80 77 75 74 73 70
Specialty Paper & Paperboard	File Folder Stock, White Tag Stock, All other Tagboard, Lined and solid unbleached paperboard, Bogus Bristol, Mill Blanks, Lined and solid bleached paperboard, White patent coated paperboard	62 68 62 62 68 68 70 70

(2) The brightness ceilings established in (d) (1) hereof shall not apply to paper manufactured from 100% rag stock, and, with respect to other paper and paperboard, may be exceeded to the extent permitted by the War Production Board upon application accompanied by satisfactory proof that the applicant's process of achieving a higher brightness will further the program for the conservation of chlorine embodied in this order. Such application should be addressed to the War Production Board and marked Ref: L-11.

(e) Elimination of certain pulps from specified grades of paper and paperboard, effective November 10, 1941. (1) After November 10, 1941, all pulp bleached with chlorine shall be eliminated from the following grades of paper and paperboard:

Division of industry	Grades
Groundwood	A-1 Groundwood catalog, A-1 Groundwood carbonizing, A-1 Groundwood coating, A-1 groundwood board and box lining



Division of industry—	Grades
Continued.	All grades of semi-bleached bags and sacks, which prior to June, 1941, were of 62 brightness or less.
Kraft	Asphalting kraft papers.
	Tile mounting.
	Creping.
	Twisting.
	Spinning.
	Tire wrap.
	Coin wrap.
	Gummings and tape, and waxings.
	Sand paper stock.
Specialty paper and paper board.	Insulating.
	Pattern board.
	Beaming paper.
	Stencil and cable stock.

(f) *Exception as to stocks on hand and in transit.* No provision of this order shall be construed to apply to pulp, paper or paperboard produced prior to the respective applicable dates contained herein.

(g) *Exception as to use of chlorine to destroy bacteria.* No provision of this order shall be construed to restrict the use of chlorine for reduction of bacterial count, for slime control or for sanitary purposes, below the minimum amounts necessary for such uses.

(h) *Ownership by producers of captive supply of chlorine.* Producers who also manufacture their own supply of chlorine shall observe the provisions of this order in all respects.

(i) *Records.* (1) Each producer of any pulp referred to in (c) hereof shall keep and preserve for not less than two years, accurate and complete records, on a calendar month basis of:

(i) Total incoming deliveries of chlorine;

(ii) Total production of chlorine (if any);

(iii) Total chlorine consumption;

(iv) Production of each type and brightness of pulp referred to in (c) hereof, and the quantities of chlorine used in the production of each such type and brightness;

(v) The quantities of chlorine consumed for each of the purposes referred to in (g) hereof;

(vi) The quantity of chlorine on hand at the end of each month.

(2) Each producer of paper or paperboard shall keep and preserve for not less than two years, accurate and complete records, on a calendar month basis, of the quantity of each type of pulp, and the brightness thereof, used in his production of each of the kinds, grades and brightnesses of paper and paperboard listed in (d) and (e) hereof, and the quantity produced of each such kind, grade and brightness of paper and paperboard.

(j) *Reports.* All persons affected by this order shall execute and file with the War Production Board such reports and questionnaires as said office shall from time to time request. No reports or questionnaires are to be filed by any person until forms therefor are prescribed by the War Production Board.

(k) *Audit and inspection.* All records required to be kept by this order shall

upon request be submitted to audit and inspection by a duly authorized representative of the War Production Board.

(l) *Violations or false statements.* Any person who violates this order, or who wilfully falsifies any records which he is required to keep by the terms of this order, or by the War Production Board, or otherwise wilfully furnishes false information to the War Production Board may be deprived of priorities assistance or may be prohibited by the War Production Board from obtaining any further deliveries of materials subject to allocation. The War Production Board may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35A of the Criminal Code (18 U.S.C. 80).

(m) *Superseding earlier order.* This order shall supersede as of November 15, 1941, all directions respecting the use of chlorine by producers of pulp, paper and paperboard contained in directives issued on June 11 and September 8, 1941.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-6739; Filed, April 30, 1943;  
11:41 a. m.]

#### PART 1011—IRIDIUM

[Conservation Order M-49 as Amended April 30, 1943]

Section 1011.1 *Conservation Order M-49* is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iridium for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1011.1 *Conservation Order M-49—*  
(a) *Definitions.* For the purpose of this order:

(1) "Iridium" means and includes the element iridium, whether it be in commercially pure form or contained in alloys, chemical compounds, or physical mixtures, or in scrap.

(i) Any alloy containing 0.05 per cent or more by weight of the element iridium is an iridium alloy.

(ii) Any chemical compound containing iridium as a recognizable component, using established chemical methods, is an iridium compound.

(iii) Any mixture, as of metal powders, containing iridium as a recognizable component is an iridium mixture.

(iv) Scrap or secondary materials containing commercially recoverable iridium are iridium scrap.

The term "iridium" does not include iridium which has been fabricated or physically incorporated into finished end products or finished parts for such end products; provided that fuse wire and electrical contacts shall not be deemed to be such end products or parts unless they have become physically attached to some other material or part other than

one made entirely of platinum group metals.

(2) "Supplier" means any person who smelts, refines, melts, rolls, or otherwise produces commercially pure iridium in the form of sponge, bar, or ingot metal, who imports iridium in any form, or who offers iridium for sale.

(3) "Consumer" means any person who uses iridium in the manufacture or alloying of iridium alloys, mixtures, or chemical compounds, or who uses iridium by incorporating it physically in the products or parts thereof which he manufactures.

(4) "Use" means to change in any way the form, shape, size, or physical or chemical characteristics of the material from those in which such material is received by the consumer. The term includes alloying, compounding, or mixing. However, it shall not be deemed to include refining or remelting of iridium scrap.

(5) The terms "deliver" and "delivery" shall not be deemed to include delivery under toll agreement.

(b) *Allocations and directions.* (1) No person shall deliver, accept delivery of, or use iridium except as specifically authorized by the War Production Board. The War Production Board will from time to time allocate the supply of iridium and specifically direct the manner and quantities in which deliveries thereof shall be made and accepted; and the War Production Board may also issue special directions as to the manner and quantities in which iridium may be used with reference to particular purposes or end uses.

(2) The War Production Board may require any person seeking to place a purchase order for iridium to place such order with one or more particular suppliers, and may require a supplier to refrain from accepting a purchase order unless the acceptance thereof has been specifically authorized by the War Production Board.

(3) The War Production Board may from time to time issue specific directions or prohibitions with respect to the permissible kind or quantity of iridium in the manufacture or composition of any material or product, and it may also in its discretion direct the use in whole or in part of any practical substitute in lieu of iridium in the manufacture of any materials or products.

(4) Allocations and directions will be made to ensure satisfaction of all defense requirements of the United States, both direct and indirect, and they may be made without regard to any preference ratings assigned to particular contracts or purchase orders.

(c) *Applications and reports—*(1) *Consumer; acceptance of delivery and use.* Any consumer seeking authorization to accept delivery of and to use iridium in any calendar month shall file an application on Form PD-869 with the War Production Board and with any supplier with whom he may place an order. Six copies of such application shall be prepared, of which one shall be forwarded not later than the 15th day of the month preceding the month for which authorization for delivery is re-



quested to the supplier with whom the order or orders described in such application are placed, and four copies shall be sent not later than the 15th day of the month preceding the month for which authorization for delivery is requested to the War Production Board. A separate set of forms shall be prepared for each supplier with whom an order is placed.

(2) *Consumer; use.* A consumer (including a supplier who is also a consumer) who seeks authorization to use iridium which he has in his possession, the use of which has not previously been authorized in writing by the War Production Board (specifically, or as provided in subparagraph (c) (3)), may apply for authorization by filing Form PD-869 with the War Production Board. Three copies of such application shall be prepared and sent to the War Production Board not later than the 15th day of the month preceding the month for which authorization for use is requested.

(3) *Supplier; delivery.* A supplier's authorization to deliver iridium to any consumer will be received by such supplier from the War Production Board in the form of an executed copy of the consumer's authorization to accept delivery. Unless expressly provided otherwise, if such authorization covers acceptance of delivery of an iridium alloy, compound, or mixture, it shall constitute authorization to such supplier to use iridium in the manufacture or alloying of the iridium alloy, compound, or mixture, as well as authorization for its delivery to such consumer.

(4) *Supplementary applications.* If an emergency arises making such course necessary, supplementary applications may be filed by a consumer at any time, using Form PD-869 and following the appropriate procedure specified for the monthly applications. Such applications shall be marked "Supplementary Application" and shall be accompanied by a brief written explanation of the emergency.

(5) *Monthly report.* Each supplier and each consumer shall file Form PD-868 with the War Production Board on or before the 15th day of each month.

(6) *Cancellation of deliveries; notice by supplier.* Each supplier shall notify the War Production Board of the cancellation by a consumer of any authorized delivery or of his own inability to make authorized delivery within five days after he has notice of such fact.

(7) *Termination of delivery authorizations.* Any authorization for delivery shall terminate automatically if the consumer requires the supplier to postpone such delivery beyond 10 days after the close of the month for which it is allocated, or if the consumer fails to place an order for the material, the delivery of which is authorized, before the end of such month.

(d) *Delivery exception.* Iridium, including iridium scrap, may be delivered without the specific authorization of the War Production Board to any supplier, to the Metals Reserve Company, or to any other corporation organized under section 5 (d) of the Reconstruction Finance Corporation Act as amended (15

U. S. C., section 606 (b)) or to any duly authorized agent of any such corporation.

(e) *Restrictions on use.* No person shall use iridium except for the manufacture of (1) fuse wires for detonators, (2) laboratory ware, (3) electrical contact points, and (4) electrical primers.

(f) *Miscellaneous provisions—(1) Appeal.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(2) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Miscellaneous Minerals Division, Washington, D. C.; Ref.: M-49.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-6749; Filed, April 30, 1943;  
11:42 a. m.]

#### PART 1014—BURLAP AND BURLAP PRODUCTS

[Conservation Order M-47 as Amended  
April 30, 1943]

Section 1014.1. *Conservation Order M-47* is hereby amended to read as follows:

§ 1014.1 *Conservation Order M-47—*  
(a) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of individuals, whether incorporated or not.

(2) "Authorized government agency" means the Board of Economic Warfare, the Defense Supplies Corporation, and any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended.

(3) "Burlap" means jute cloth with fast edges, plain woven of single yarns, other than brattice cloth and linoleum cloth, weighing more than six and not more than sixteen ounces per yard of cloth forty inches wide.

(4) "Free burlap" means imported burlap other than the quantity of bur-

lap required to be set aside for stockpiling pursuant to paragraph (c). The term includes burlap which has been set aside but is released pursuant to paragraphs (c) (2) and (c) (3) by specific authorization of the War Production Board.

(5) "Cut-up" means lineal yardage of burlap converted into bags by a bag manufacturer.

(6) "Importer" means any person who imported burlap during the period 1935-1939, inclusive, other than an importing bag manufacturer.

(7) "Importing bag manufacturer" means any person who imported burlap during the period 1935-1939, inclusive, and manufactured bags from such burlap.

(8) "Import" means to transport in any manner into the continental United States from any foreign country or from any territory or possession of the United States, including the Philippine Islands. It includes shipments into a free port, free zone or bonded custody of the United States Bureau of Customs (bonded warehouse) in the continental United States and shipments in bond into the continental United States for transshipment to Canada, Mexico or any other foreign country.

(b) *Restrictions on imports.* (1) No person other than an authorized government agency, or any representative designated for the purpose by an authorized government agency, shall import burlap in excess of the quotas established pursuant to paragraph (b) (3) of this order.

(2) The War Production Board may from time to time issue specifications as to the weights and widths of burlap to be imported. In the absence of such specifications, the following constructions only may be imported:

36 inch 7½, 10 and 12 ounce.  
37 inch 10 ounce.  
40 inch 7½, 8, 10, 10½ and 12 ounce.  
45 inch 7½ ounce.

Up to two-thirds of each importation, 40 inch 10 ounce burlap shall be imported in preference to other constructions to the extent that it is available.

(3) The import quota of each person (other than authorized government agencies) for the three-month period beginning May 1, 1943, and each subsequent three-month period, shall be an amount bearing the same ratio to the total imports of burlap during that period as such person's average annual imports of burlap during the years 1935-1939 inclusive through the continental United States ports bore to the total average annual imports of burlap through continental United States ports during said period. The War Production Board will from time to time calculate the quantities of burlap which any person may import in any three-month period, pursuant to this paragraph, and may issue directions in writing as to the time, manner and quantities with respect to which importations may be made. Persons will be required to import equal quantities during each month of the three-month period, so far as possible. Quantities may be stated by percentage



of the total imports during a period or by aggregate amount. Any person having a quota shall notify the War Production Board forthwith if he has determined not to make any importation which he is specifically authorized to make. The War Production Board may reallocate any person's quota or any part thereof to other importers or importing bag manufacturers when such person has determined not to import the quantity to which he is entitled pursuant to this order. No importer may import burlap if he has neglected to dispose of previous importations, or to make a bona fide effort to do so.

(c) *Stockpiling of imports.* (1) Each person (other than an authorized government agency) importing burlap shall set aside two-thirds of his part of each cargo arriving in the continental United States. The War Production Board may from time to time issue instructions in writing as to the order of preference in which different weights and widths shall be selected for setting aside. Bales known to be damaged shall not be set aside if undamaged bales are available.

(2) Any person who has set aside burlap in accordance with paragraph (c) (1) shall not deliver, sell, manufacture, process, use or otherwise release burlap from the quantity set aside by him without specific authorization of the War Production Board, except to fill any order for burlap for the United States Army, for any authorized government agency, or any order bearing a preference rating of AA-5 or higher assigned by a preference rating certificate on Form PD-1A, PD-3A, PD-300 or PD-408 (but not a preference rating assigned in any other manner) expressly specifying burlap and issued directly to the person placing the order. Ratings may be applied as prescribed in Priorities Regulation 3 (§ 944.23), as amended, but not extended to any person, or persons, beyond the immediate supplier, or suppliers, of the person to whom such certificate is directly issued.

(3) Any authorized government agency importing burlap or purchasing burlap pursuant to paragraph (c) (2) shall set the entire amount aside and shall not dispose of any part without the specific authorization of the War Production Board.

(d) *Free burlap quotas for bag manufacturers.* (1) No person may use free burlap except as provided in paragraph (e) (3), for any purpose other than the manufacture of textile bags, as defined in Order M-221, as it may be amended from time to time, nor may he use free burlap in excess of his quota assigned pursuant to this paragraph. The quota of each bag manufacturer during each month shall bear the same ratio to the total imports of burlap during such month as the average annual burlap cut-up of such bag manufacturer during the years 1939 and 1940 bears to the total average annual burlap cut-up during the same years of all bag manufacturers who are assigned quotas.

(2) The War Production Board will calculate the quota of each bag manu-

facturer and assign to bag manufacturers free burlap quota certificates specifying the quantities of burlap which bag manufacturers may receive for their own use during any period. Such certificates shall be used only according to their terms. Such certificates may specify the order in which deliveries shall be made, and no person shall deliver free burlap to a person pursuant to a certificate bearing a higher sequence number if he thereby disables himself from completing deliveries on all his orders pursuant to certificates bearing lower sequence numbers. This requirement shall be observed without regard to any preference rating which may be applied or extended to particular orders. No person shall deliver free burlap to a bag manufacturer unless such manufacturer endorses on his purchase contract the serial number of the certificate authorizing him to accept delivery, and the sequence number.

(3) Bag manufacturers may from time to time accept delivery of sufficient free burlap to enable them to use the quantity authorized by paragraph (d) (1), and set forth in free burlap quota certificates issued to them pursuant to paragraph (d) (2). If they are importing bag manufacturers, they may accept delivery of sufficient free burlap to make good any deficiency in their imports of free burlap for such purpose. Any unused quota may be carried over only as specified in the free burlap quota certificate.

(4) Any importing bag manufacturer who imports during any month a quantity in excess of that authorized by his free burlap quota certificate shall not accept delivery of or use or import any burlap thereafter unless he has delivered or made a bona fide effort to deliver his excess to any bag manufacturer or manufacturers entitled to accept delivery as prescribed in paragraph (d) (2).

(5) Notwithstanding the provisions of paragraph (d) (1) and notwithstanding his tenure of a certificate, no bag manufacturer may accept delivery of any burlap in excess of a minimum practicable working inventory at his then rate of operation.

(e) *Damaged burlap.* (1) Burlap shall be deemed to be damaged when rejected by a writing identifying the said burlap after inspection by a Government inspector, or when inspected and certified as damaged by a writing identifying the said burlap by representatives of the insurance company or companies required to meet the claim because of the damage involved.

(2) Notwithstanding the provisions of paragraph (c) (2) stockpiled burlap determined to be damaged, in the manner described in the foregoing paragraph, may be sold, delivered or distributed to, and purchased, received, processed or used by any bag manufacturer for the manufacture of textile bags, as permitted in paragraph (d) (1) only if rejected by the Army of the United States or an authorized government agency: *Provided, however,* That such burlap shall be computed in the free burlap quota of such bag manufacturer.

(3) In the event that the extent of damage is such that at least two bag manufacturers have rejected all or any portion of the burlap found to be damaged in the manner described in paragraph (e) (1) hereof as unsuitable for use in the manufacture of textile bags as permitted in paragraph (d) (1) after an inspection thereof by their representatives, who shall not be persons connected with the persons offering such burlap, said burlap may be sold free and clear of the restrictions of this order: *Provided, however,* That the seller shall make and file the following certificate with the War Production Board on or before the third business day following such sale:

Pursuant to Order M-47, the undersigned hereby certifies to the War Production Board that \_\_\_\_\_ bales of \_\_\_\_\_ burlap ex (ship) \_\_\_\_\_ Bale Nos. \_\_\_\_\_ which arrived at (port) \_\_\_\_\_ on (date) \_\_\_\_\_ have been certified as damaged by (insurance company representative or Government inspecting officer), as evidenced by his attached certificate.

This burlap has been offered to (names of not less than two bag manufacturers) and has been rejected by them in writing as unsuitable for use in the manufacture of permitted bags.

\_\_\_\_\_  
(Name of seller)  
By \_\_\_\_\_  
(Authorized signature)

Date \_\_\_\_\_

(f) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Nothing in this order shall be deemed to disturb any authorization issued pursuant to appeals filed before April 30, 1943, allowing to any persons the use of more recent base periods in computing import quotas or rights to share in the distribution of free burlap.

(g) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time.

(h) *Reports and communications.* (1) Each importer and bag manufacturer shall file with the War Production Board on Form PD-188 a monthly report of his inventories, receipts and deliveries of burlap.

(2) All reports required to be filed under, and all communications concerning this order shall be addressed to the War Production Board, Textile, Clothing and Leather Division, Washington, D. C., Reference M-47.

(i) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.



This order as amended shall take effect on May 1, 1943.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-6740; Filed, April 30, 1943;  
11:42 a. m.]

#### PART 1061—PORTABLE ELECTRIC LAMPS AND SHADES

[General Limitation Order L-33, as Amended  
April 30, 1943]

§ 1061.1 *General Limitation Order L-33—(a) Definitions.* For the purposes of this order:

(1) "Portable lamp" means any detachable device (excluding lamp shades and incandescent, fluorescent or electric discharge lamps or tubes covered by Limitation Order L-28), the primary function of which is to furnish light for interior illuminating purposes by means of incandescent, fluorescent or electric discharge lamps or tubes. "Portable lamp" does not include any flashlight or other battery-operated lighting device, mechanics' lamp, industrial lamp designed specifically for use in conjunction with any industrial machine, tool or assembly bench or other similar factory equipment, or any overhead suspended fixture (whether portable or not).

(2) "Socket" means any receptacle on a portable lamp designed to receive an incandescent, fluorescent or electric discharge lamp or tube.

(3) "Lamp cord" means any insulated cord used to conduct electricity to the socket on a portable lamp.

(4) "Plug" means any device attached to a lamp cord and fitting into a fixed receptacle for the purpose of transmitting electric current through the lamp cord.

(5) "Separate switch" means any one- or two-circuit switch control which operates one or more sockets.

(6) "Lamp shade" means any shade or metal reflector designed for use with a portable lamp.

(7) "Manufacturer" means any person engaged in the business of manufacturing or assembling portable lamps or lamp shades or parts for such products.

(8) "Preferred order" means any purchase order, contract or subcontract for delivery of portable lamps or lamp shades to or for the account of the Army or Navy of the United States, the United States Maritime Commission or the War Shipping Administration.

(b) *General restrictions.* (1) During the period beginning April 30, 1943 and ending July 15, 1943, inclusive, no manufacturer shall process, fabricate, work on or assemble any portable lamps or parts therefor, except parts which, on December 10, 1942, were completely or partially fabricated in his inventory, in the inventory of his suppliers, or except in fulfillment of preferred orders.

(2) On and after July 16, 1943, no manufacturer shall produce or assemble any portable lamps or parts therefor, except in fulfillment of preferred orders.

(3) In fulfillment of preferred orders, on and after April 30, 1943, no manufacturer shall process any unfabricated metal for portable lamps or parts therefor containing

(i) Any iron and steel except in sockets, separate switches, plugs, lamp cords, auxiliary ballasts, starter switches, center pipes, steel wire harps, socket covers and husks, outer tubing and casings, coating and checking rings, locknuts, washers, screws and bolts; or

(ii) Any other metal except in sockets, separate switches, plugs, lamp cords, auxiliary ballasts and starter switches.

(4) The restrictions of Copper Conservation Order M-9-c shall not apply to the following items, provided that they were in the inventory of the manufacturer or his suppliers on December 10, 1942:

(i) No. 20 B and S Gauge copper conductor cords in cut lengths of not more than 11 feet.

(ii) Sockets, provided that neither the caps, shells or screw shells contain any copper or copper base alloy other than plating.

(iii) Molded plugs.

(iv) Plugs, other than molded, provided that such plugs contain no copper or copper base alloy other than in screws or in plating materials.

(5) During the period beginning April 30, 1943, and ending July 15, 1943, inclusive, no manufacturer shall produce any lamp shades or parts therefor (including lamp shades in fulfillment of preferred orders) containing

(i) Any silk which was not in his inventory on March 23, 1942;

(ii) Any metal except iron and steel in wire frames which, on December 10, 1942, was in his inventory or in the inventory of his suppliers in the form of wire or wire frames. The December 10, 1942 requirement shall not apply to wire frames produced in fulfillment of preferred orders;

(iii) Any phenolic plastics which were not in his inventory or in the inventory of his suppliers on December 10, 1942.

(6) On and after July 16, 1943, no manufacturer shall produce any lamp shades or parts therefor containing any metal, silk or phenolic plastics except that lamp shades or parts therefor containing iron and steel in wire frames may be produced in fulfillment of preferred orders.

(c) *Avoidance of excessive inventories.* No manufacturer shall receive for use in the manufacture of portable lamps or lamp shades any materials which he cannot use under the terms of this order or any materials which when received will give him an inventory of such materials in excess of the minimum amount necessary to maintain production as permitted by this order.

(d) *Records.* All persons affected by this order shall keep and preserve for

not less than two years accurate and complete records concerning inventories, production and sales.

(e) *Audit and inspection.* All records required to be kept by this order shall, upon request, be submitted to audit and inspection by duly authorized representatives of the War Production Board.

(f) *Reports.* Each manufacturer who produces any portable lamps or lamp shades in fulfillment of preferred orders shall file on or before the tenth day of each calendar month, beginning January 10, 1943, a report on Form PD-655, showing all shipments made pursuant to such preferred orders during the preceding calendar month. Each manufacturer shall also file such other reports and answers to questionnaires as shall from time to time be required.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(h) *Appeal.* Any appeal from the provisions of this order must be made on Form PD-500 and must be filed with the field office of the War Production Board of the district in which is located the plant to which the appeal relates.

(i) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the priorities regulations of the War Production Board, as amended from time to time.

(j) *Applicability of other orders.* In so far as any other order heretofore or hereafter issued by the Office of Production Management or the War Production Board, limits the use of any material in the manufacture of portable lamps or lamp shades to a greater extent than the limits imposed by this order, the restrictions in such other order shall govern unless otherwise specified therein.

(k) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the Consumers' Durable Goods Division, War Production Board, Washington, D. C., Ref.: L-33.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-6750; Filed, April 30, 1943;  
11:42 a. m.]

#### PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 9 to Limitation Order L-211]

##### OIL COUNTRY TUBULAR GOODS

§ 3102.10 *Schedule 9 to Limitation Order L-211—(a) Purpose and scope.* This schedule prescribes certain standards for the manufacture of oil country



tubular goods, as herein defined. The schedule does not relate to use; oil country tubular goods made in accordance with this schedule may be used for any purpose, and other types of tubular material may be used in oil and gas wells, in each case subject to any restrictions contained in other orders of the War Production Board or the Petroleum Administration for War.

(b) *Definition.* "Oil country tubular goods" means oil well casing, tubing and drill pipe.

(c) *Restrictions on sizes and specifications.* No person shall produce, fabricate or deliver oil country tubular goods except as set forth in American Petroleum Institute Specification for Casing, Drill Pipe and Tubing, API Standard No. 5-A, dated May 1942, and Supplement No. 1 thereto, dated December 1942, or in List 1 attached hereto. However the use of Bessemer or open-hearth steel in the manufacture of casing and tubing shall be optional with the manufacturer and no purchaser may specify the type of steel to be used on his order.

(d) *Acceptance of delivery.* No person shall accept delivery of any oil country tubular goods which he knows or has reason to believe were produced, fabricated or delivered in violation of the provisions of paragraph (c).

(e) *Exceptions.* (1) The provisions of paragraphs (c) and (d) shall not apply to any oil country tubular goods:

(i) The production, fabrication, delivery or acceptance of which is specifically authorized in writing by the War Production Board, or

(ii) For which an order was entered prior to April 30, 1943, provided shipment of the entire order is made on or before June 30, 1943, or

(iii) Oil well casing produced by electric fusion welding.

(2) The provisions of paragraph (c) shall not prohibit:

(i) Waiver by the purchaser of any of the inspection or test requirements of the specifications prescribed in paragraph (c), or

(ii) Delivery or acceptance of any oil country tubular goods which because of errors in manufacture do not conform to the requirements of paragraph (c), providing such requirements are waived by the purchaser or procuring agency, or

(iii) The production, fabrication, delivery, or acceptance of lap-weld tubing or lap-weld casing with V type thread, or

(iv) The production, fabrication, delivery, or acceptance of any oil country tubular goods having thread dimensions or types of joints other than those prescribed in paragraph (c), provided the purchaser endorses on the purchase order a statement signed by an authorized official, either manually or as provided in Priorities Regulation No. 7, substantially as follows:

The special threads or special types of joints specified in this order are necessary to the successful installation and operation of the pipe covered by said order, and none

of the standard thread dimensions or types of joints specified in Schedule 9 to Limitation Order L-211 issued by the War Production Board, will meet the service requirements to which said pipe is to be applied.

Name of Purchaser	Signature of Authorized Official	Title
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Such statement shall constitute a representation to the seller and to the War Production Board, and may be relied on by the seller unless he knows or has reason to believe it to be false.

(f) *Records.* Each person owning or possessing oil country tubular goods excepted by the provisions of paragraph (e) shall retain records of such material available for inspection by duly authorized representatives of the War Production Board.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LIST

#### ADDITIONAL PERMISSIBLE SIZES OF LAP-WELD CASING AND TUBING

Lap-Weld Casing		
Size outside diameter, inches	Wall thickness, inches	Nominal weight per foot, pounds
5½	.304	17.00
6½	.185	13.00
7	.272	20.00
8½	.304	28.00
10½	.307	35.75

Standard Lap-Weld Tubing (Non-Upset)			
Size nominal	Outside diameter, inches	Wall thickness, inches	Nominal weight per foot, pounds
2	2.375	.167	4.00
3	3.500	.216	7.70
4	4.500	.237	11.00

The above sizes apply only to short thread casing and to standard non-upset tubing. In all respects other than outside diameter, wall thickness, weight per foot, and threading practice, such casing and tubing shall conform to the requirements of American Petroleum Institute Specification for Casing, Drill Pipe and Tubing, API Standard No. 5-A, dated May 1942, and Supplement No. 1 thereto, dated December 1942.

[F. R. Doc. 43-6741; Filed, April 30, 1943; 11:41 a. m.]

#### PART 3102—NATIONAL EMERGENCY SPECIFICATIONS FOR STEEL PRODUCTS

[Schedule 10 to Limitation Order L-211]

##### WATER WELL TUBULAR PRODUCTS

§ 3102.11 *Schedule 10 to Limitation Order L-211—(a) Purpose and scope.* This schedule prescribes certain standards for the manufacture of water well tubular products, as herein defined. The schedule does not relate to use; water well tubular products made in accordance with this schedule may be used for any purpose, and other types of tubular products may be used for water wells,

subject to any restrictions contained in other War Production Board orders.

(b) *Definition.* "Water well tubular products" means water well drive pipe, water well casing, water well reamed and drifted pipe, driven well pipe and pump pipe, and couplings for same, manufactured from steel or wrought iron.

(c) *Restrictions on sizes and shapes.* No person shall produce, fabricate or deliver water well tubular products except in the sizes, dimensions and weights set forth for:

(1) Steel water well tubular products, in American Iron and Steel Institute Steel Products Manual, Section 18, Steel Tubular Products, as revised September, 1942.

(2) Wrought iron pipe, in the American Society for Testing Materials, Standard Specifications A72-39, Welded Wrought Iron Pipe.

(d) *Restrictions on specifications.* No person shall produce, fabricate, or deliver any water well tubular products except in conformance to the requirements set forth for:

(1) Steel water well tubular products, in American Society for Testing Materials, Standard Specifications A53-42, Welded and Seamless Steel Pipe, as amended by Emergency Alternate Provisions EA-A-53, adopted January 30, 1943, and except that the use of Bessemer or open hearth steel shall be optional with the producer, and no purchaser shall specify in his delivery order the type of steel to be used.

(2) Wrought iron pipe, in American Society for Testing Materials, Standard Specifications A72-39, Welded Wrought Iron Pipe.

(e) *Acceptance of delivery.* No person shall accept delivery of any water well tubular products which he knows or has reason to believe were produced, fabricated or delivered in violation of the provisions of paragraph (c) or (d).

(f) *Exceptions.* (1) The provisions of paragraphs (c), (d) and (e) shall not apply to water well tubular products:

(i) The production, fabrication, delivery or acceptance of which is specifically permitted by the War Production Board, or

(ii) Which have been produced or fabricated before April 30, 1943, or which before such date have been processed in such manner and to such extent that processing to conform to such provisions would be impracticable.

(2) The provisions of paragraphs (c), (d) and (e) shall not prevent:

(i) Waiver by the purchaser or procuring agency of any of the inspection or test requirements of the specifications prescribed in paragraph (d).

(ii) Delivery or acceptance of water well tubular products which because of errors in manufacture do not conform to the requirements of paragraphs (c) or (d) providing such requirements are waived by the purchaser or procuring agency.

(g) *Records.* Each person owning or possessing water well tubular products excepted by the provisions of paragraph (d) shall retain records of such material available for inspection by duly author-



ized representatives of the War Production Board.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-6751; Filed, April 30, 1943;  
11:42 a. m.]

#### PART 3157—CONTROLLED SHIPMENTS

[General Transportation Order T-1 as  
Amended April 30, 1943]

§ 3157.1 *General Transportation Order T-1—(a) Definitions.* For the purpose of this order:

(1) "Controlled shipment" means shipment, including reconsignment, of any material on List 1 or 2 annexed hereto, where the shipment is to be made at the time, in the manner and for the distance specified opposite such material in such list.

(2) "Originate" means to load for shipment or to tender or offer to a carrier for shipment.

(3) "Tank car" means any railway tank car having one or more steel tanks from which materials are customarily loaded and unloaded while the tank is on the car.

(4) "Tank truck" means any vehicle designed for highway travel having one or more steel tanks from which materials are customarily loaded and unloaded while the tank is on the truck.

(b) *List 1 materials.* (1) No person shall originate a controlled shipment of any List 1 material, except as specifically authorized or directed by the War Production Board.

(2) Any person seeking authorization to originate a controlled shipment of any List 1 material may make application on Form PD-782, or, in emergency, by telegram, containing substantially the information called for by such form.

(c) *List 2 materials.* (1) Each person shall report on Form PD-782 on or before the 20th day of each calendar month all shipments of List 2 materials which he then intends to originate during the succeeding calendar month.

(2) Each person shall report on Form PD-782 on or before the 10th day prior to origination any controlled shipment of List 2 materials which he then intends to originate and has not previously reported.

(3) Any person may originate a controlled shipment of List 2 materials reported pursuant to paragraph (c) (1) or (2), unless otherwise specifically directed by the War Production Board.

(4) No person shall originate a controlled shipment of any List 2 material which has not been reported pursuant to paragraph (c) (1) or (2), except as specifically directed or authorized by the War Production Board. Applications for such authorization may be made by telegram containing substantially the information called for by Form PD-782.

(d) *List 3 materials.* This order does not restrict shipments of List 3 materials, except to the extent that such shipments are controlled shipments of List 1 or List 2 materials.

(e) *Other materials.* On and after March 1, 1943, no person shall originate a shipment by tank car of any material unless:

(1) Specified on List 1, List 2 or List 3; or

(2) Consigned to or for the account of the United States Army, Navy, Maritime Commission or War Shipping Administration, or corresponding Canadian agencies specified in Priorities Regulation No. 14; or unless the material shipped is procured pursuant to the Act of March 11, 1941 (Lend-Lease Act), provided that at the time each such shipment is originated the material is in the form in which it is eventually to be delivered to a foreign country or its representative; or

(3) Specifically authorized by the War Production Board upon application by such person on Form PD-782, or, in emergency, upon application by telegram containing substantially the information called for by Form PD-782.

(f) *Carriers.* The provisions of this order shall not apply to any carrier acting in the capacity of a carrier as distinguished from a carrier acting in the capacity of a shipper.

(g) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Applicability of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other War Production Board order now or hereafter issued.

(3) *Territorial limitations.* This order shall apply only to shipments originating or reconsigning in the forty-eight States and the District of Columbia.

(4) *Appeals.* Any appeal from denials of applications or from directions pursuant to this order shall be made by filing a letter in triplicate, referring to the particular action appealed from and stating fully the grounds of the appeal.

(5) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Washington, D. C., Ref.: T-1 (specified commodity).

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### LISTS ATTACHED TO GENERAL TRANSPORTATION ORDER T-1

##### LIST 1 (ZONED SHIPMENTS)

NOTE: Item 2, caustic soda, was amended April 30, 1943.

(1) *Molasses.* Shipments of 200 miles or more in tank cars or tank trucks, originating on or after March 1, 1943 of blackstrap, invert, edible or hydrol molasses, except shipments of such molasses for the manufacture of yeast or citric acid. The term molasses shall be construed to include the residuum of such molasses.

(2) *Caustic soda:* Shipments in tank cars or tank trucks, originating on or after May 1, 1943, from any point in any one of the following zones to a point in any other such zone, except that

(a) Producers in Zone 2 may ship without authorization to any point in Area A as defined below,

(b) Producers in Zones 2 and 3 may ship without authorization to any point in Area B as defined below,

(c) Producers in Zones 2 and 3, except those in Virginia, may ship without authorization to any point in Area C as defined below,

(d) Producers in Zones 3, 4, and 6, except those in Virginia, may ship without authorization to any point in Area D as defined below, and

(e) Producers in Zones 5 and 6 may ship without authorization to any point in Area E as defined below.

*First caustic soda zone:* The states of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, New York and Delaware; that portion of Pennsylvania east of but not including the counties of Warren, Elk, Clearfield, Centre, Mifflin, Juniata and Franklin; and that portion of Maryland east of but not including the counties of Frederick, Montgomery, Prince Georges, Calvert and St. Marys.

*Second caustic soda zone:* The District of Columbia; that portion of Pennsylvania and Maryland not included in Zone 1; that portion of Virginia north of the James River as far west as Nelson County, and that portion north of but not including the counties of Nelson and Augusta, plus that portion of Virginia included in the Richmond, Virginia, switching limits as described in duly published tariffs; also South Richmond and Amptill, Virginia, that portion of West Virginia north of but not including the counties of Pocahontas, Greenbrier, Nicholas, Kanawha, Putnam, Cabell; and that portion of Ohio east of but not including the counties of Adams, Highland, Clinton, Greene, Clark, Champaign, Logan, Auglaize, Allen, Hancock, Seneca, Huron and Erie.

*Third caustic soda zone:* The states of North Carolina and South Carolina; that portion of Virginia and West Virginia not included in Zone 2; that portion of Kentucky south of but not including the counties of Mason, Bracken, Pendleton, Grant, Owen, Henry, Oldham and Jefferson, and that portion of Kentucky east of but not including the counties of Crittenden, Caldwell, Christian and Todd; that portion of Tennessee east of but not including the counties of Montgomery, Cheatham, Davidson, Williamson, Maury and Lawrence; that portion of Alabama east of but not including the counties of Lauderdale, Lawrence, Winston, Walker, Jefferson, Shelby, Coosa, Elmore, Montgomery, Bullock, Barbour, Henry and Houston; and that portion of Georgia east and north of but not including the counties of Clay, Calhoun, Baker, Mitchell and Grady.

*Fourth caustic soda zone:* The states of Michigan, Wisconsin, Minnesota, North Dakota, South Dakota, Nebraska, Kansas, Iowa and Indiana; that portion of Kentucky not included in Zone 3 or 5; that portion of the State of Ohio not included in Zone 2; and that portion of Illinois north of but not in-



cluding the counties of Union, Johnson, Pope and Hardin; and that portion of Missouri north of but not including the counties of Bates, St. Clair, Hickory, Dallas, Laclede, Texas, Shannon, Reynolds, Carter, Butler, Stoddard and Cape Girardeau.

**Fifth caustic soda zone:** The states of Arkansas, Louisiana, Florida, and Mississippi; that portion of Missouri and Illinois not included in Zone 4; that portion of Kentucky not included in Zone 3 or 4; that portion of Tennessee, Georgia and Alabama not included in Zone 3; that portion of Oklahoma east of but not including the counties of Kay, Noble, Payne, Lincoln, Pottawatomie, Pontotoc, Johnston and Bryan; that portion of Texas east of but not including the counties of Fannin, Hunt, Rains, Vanzandt, Smith, Cherokee, Angelina, Tyler, Hardin and Jefferson.

**Sixth caustic soda zone:** That portion of Oklahoma and Texas not included in Zone 5.

**Seventh caustic soda zone:** The states of Montana, Idaho, Wyoming, Colorado, Utah, Arizona and New Mexico, and that portion of the State of Nevada east of but not including the counties of Humboldt, Pershing, Churchill, Mineral and Esmeralda.

**Eighth caustic soda zone:** The states of Washington, Oregon and California, and that portion of Nevada not included in Zone 7.

**Caustic soda Area A:** The state of New Jersey, the counties of Delaware, Philadelphia, Montgomery and Bucks in Pennsylvania, the counties of Putnam, Westchester, Rockland, Bronx, New York, Richmond, Kings, Queens, Nassau and Suffolk in New York, and Fairfield County in Connecticut.

**Caustic soda Area B:** The District of Columbia, the states of Delaware and Maryland; that portion of Virginia north of the James River as far west as the county of Amherst, and that portion of Virginia north of but not including the counties of Amherst, Rockbridge, Botetourt and Craig; that portion of West Virginia north of but not including the counties of Monroe, Summers, Raleigh, Boone, Logan and Mingo, but not including the counties of Marshall, Ohio, Brook and Hancock; the counties of Boyd and Greenup in Kentucky; and that portion of Ohio east and south of but not including the counties of Scioto, Jackson, Vinton, Hocking, Perry, Morgan, Noble and Monroe.

**Caustic soda Area C:** The counties of Jefferson, St. Louis and St. Charles in Missouri, the counties of Monroe, St. Clair, Madison, Bond, Clinton, Washington, Jefferson, Marion, Fayette, Effingham, Clay, Wayne, Hamilton, White, Edwards, Richland, Jasper, Cumberland, Clark, Crawford, Lawrence and Wabash in Illinois; the counties of Jefferson, Oldham, Trimble, Henry, Carroll, Owen, Gallatin, Grant, Boone, Kenton, Campbell, Pendleton, Bracken and Mason in Kentucky; that portion of Indiana south of but not including the counties of Vermillion, Parke, Putnam, Morgan, Hendricks, Boone, Hamilton, Tipton, Grant, Wells, and Adams; and that portion of Ohio south and west of but not including the counties of Van Wert, Allen, Hardin, Union, Madison, Fayette, Ross, Pike and Scioto.

**Caustic soda Area D:** The portion of Missouri east and south of but not including the counties of Ripley, Carter, Wayne, Bollinger and Perry; the portion of Illinois south of but not including the counties of Jackson, Williamson, Saline, and Gallatin; the portion of Kentucky west and south of but not including the counties of Union, Webster, Hopkins, Muhlenberg, and Logan; and the portion of Tennessee west of but not including the counties of Robertson, Sumner, Wilson, Rutherford, Marshall and Giles.

**Caustic soda Area E:** The portion of Texas east and south of but not including the counties of Matagorda, Wharton, Austin, Waller, Grimes, Walker, Trinity, Angelina, San Augustine and Sabine, and the portion

of Louisiana south and west of but not including the counties of Sabine, Natchitoches, Rapides, Allen, Jefferson Davis and Vermillion.

#### LIST 2 (REPORTED SHIPMENTS)

1. **Acetone:** Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.
2. **Butyl acetate:** Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.
3. **Corn syrup (glucose).** Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.
4. **Ethyl acetate:** Shipments of any distance in tank cars, or of more than 200 miles in tank trucks, originating on or after March 1, 1943.
5. **Ethyl alcohol (including denatured ethyl alcohol).** Shipments of any distance in tank cars, or of more than 250 miles in tank trucks, originating on or after March 1, 1943, except shipments of ethyl alcohol (including denatured ethyl alcohol) owned or shipped by Defense Supplies Corporation, or shipments of specially denatured ATU Formula No. 18.
6. **Molasses:** Shipments of any distance in tank cars, or of more than 200 miles in tank trucks originating on or after March 1, 1943, of beet molasses shipped for any purpose, or of blackstrap, invert, edible or hydrol molasses shipped for the manufacture of yeast or citric acid. The term molasses shall be construed to include the residuum of such molasses.

#### LIST 3 (OTHER SHIPMENTS)

1. On and after March 1, 1943, no shipments in tank cars other than of the following materials:  
Acetaldehyde  
Acetic acid, glacial or liquid  
Acetic anhydride  
Acetone  
Acids  
Acrylonitrile  
Alcohols  
Aluminum chloride  
Aluminum sulfate  
Ammoniacal liquor or aqua ammonia  
Ammonium nitrate liquor  
Ammonia sulphide  
Ammonium thiocyanate liquor  
Amyl acetate  
Amyl chloride  
Anhydrous ammonia  
Aniline oils  
Anti-freezing compounds  
Arsenic (arsenious acid)  
Arsenic trioxide  
Asphalt  
Aviation gasoline (of Octane No. 87, 91, and 100) and its component parts, such as:  
Alkylate  
Aromatic fractions for aviation  
Aviation base stocks  
Butylene  
Codimer  
Isobutane  
Isobutylene  
Iso octane  
Isopentane (pentane)  
Hydrocodimer  
Babassu oil  
Benzol (benzene)  
Brake fluid  
Butadiene  
Butanes  
Butenes  
Butyl acetate  
Butyl aldehyde  
Butyraldehyde  
Butylamines

<sup>1</sup> Controlled as List 1 or List 2 materials to the extent defined in List 1 or List 2.

<sup>2</sup> Subject to such orders as may be issued by the Petroleum Administrator for War.

Calcium chloride, liquid  
Calcium hypochlorite (chlorinated lime)  
Carbon dioxide, liquefied  
Carbon bisulfide (carbon disulfide)  
Carbon tetrachloride  
Castor oil  
Caustic potash (potassium hydroxide)  
Caustic soda (sodium hydroxide)  
Chemicals, other, shipped as "chemicals NO1BN"  
Chestnut tanning extract (tannic acid)  
Chlorine, liquid  
Chlorobenzol (Monochlorobenzol)  
Chlorosulphuric acid  
Coal tar pitch  
Coconut oil (copra)  
Core compound, foundry  
Corn oil  
Corn syrup (glucose)  
Cottonseed oil  
Creosote oil  
Creosote-tar solution  
Cresylic acid (cresol)  
Crude tar oil  
Crude naphthalene  
Crude tar acid  
Cumene (isopropylbenzene or isopropylbenzene)  
Diacetone  
Dibutyl, diethyl, or dimethyl phthalate  
Dichlorodifluoromethane  
Dichloromonofluoromethane  
Dichlorotetrafluoroethane  
Diethyl sulphate  
Diethylene glycol  
Dimethylaniline  
Dinitrochlorobenzol  
Diocetyl phthalate  
Diphenyl  
Diphenylamine  
Dye-intermediates  
Ester gums  
Ether (ethyl, dichloroethyl, or isopropyl)  
Ethyl acetate  
Ethyl chloride  
Ethylamines  
Ethylene bromide or dibromide  
Ethylene chlorohydrin  
Ethylene dichloride  
Ethylene glycol  
Ethylene oxide  
Ethyl methyl ketone (methyl ethyl ketone)  
Ethyl hexyl alcohol  
Fatty acid  
Fatty acid esters  
Fertilizer ammoniating solution  
Fish or sea animal oil  
Formaldehyde, liquid  
Formamide  
Formic acid  
Furfural  
Gas drip oil, including crude  
Grease (inedible animal)  
Glycerine  
Hexa methylene diammonium adipate solution  
Hydrochloric acid (muriatic)  
Hydrofluoric acid  
Hydrofluosilicic acid  
Hydrogen dioxide or peroxide  
Hydrol (corn sugar final molasses)  
Ink, printing  
Iron chloride (ferric)  
Isobutyl acetate  
Isopropyl acetate  
Lactic acid  
Lacquer solvents  
Lard  
Lard oil  
Latex  
Lead tetraethyl  
Lignin liquor  
Lime, chlorinated  
Lime and sulfur solution  
Lime sludge or slurry  
Linseed oil  
Liquefied petroleum gases  
Magnesium chloride  
Methanol  
Methyl acetate  
Methyl acetone



Methyl chloride  
Methyl formate  
Methyl isobutyl ketone  
Molasses (beet blackstrap, edible, and molasses residuum)  
Monofluorotrichloromethane  
Milk  
Naphtha  
Naphtha solvent  
Naphthalene, including crude  
Neutral oil  
Nitrating acid or mixed acid  
Nitric acid  
Nitrobenzol  
Nitrocellulose solution  
Nitrogen fertilizer solution (including crude)  
Nylon salt solution  
Oil foots or sediment  
Oiticica oil  
Oleic acid (red oil)  
Orthodichlorobenzol  
Oxygen, liquid  
Oxidizing salt solution  
Oil tar  
Oil tar oil  
Paint oil compounded  
Paint, lacquer, varnish, gum, resin, or pyroxylin plasticizers or solvents  
Paint, lacquer, or varnish, increasing, reducing, removing or thinning compounds  
Paints, stains, varnishes or lacquers  
Palm oil  
Paraffin wax, chlorinated  
Paraldehyde  
Peanut oil  
Pentane  
Perchloric acid  
Perchloroethylene  
Petroleum  
Petroleum products (not otherwise listed)  
Phenol (carbolic acid)  
Phosphoric acid  
Phosphorous  
Phosphorus oxychloride  
Phosphorous trichloride  
Pickles  
Pilargonic acid  
Pinene  
Pine oils  
Pitch, pine tar  
Pitch, rosin  
Plasticizers  
Pork fat, rendered  
Powder, smokeless, in water  
Potassium silicates  
Preservatives, wood  
Propanes  
Propionic acid  
Proprietary anti-freeze preparations  
Propylene dichloride  
Propylene glycol  
Pulp mill liquid  
Pyridine  
Pyroxylin solution  
Pyroxylin waterproofing liquid  
Pyroligneous acid  
Rapeseed oil  
Resin  
Resins, synthetic  
Road tar  
Rosin oil  
Rosin size  
Rubber solvent  
Sludge acid  
Soap stock  
Sodium aluminate  
Sodium bichromate  
Sodium bisulphite  
Sodium chromate solution  
Sodium hydrosulfide liquid (sodium sulphhydrate)  
Sodium, metallic  
Sodium nitrate  
Sodium nitrite  
Sodium hypochlorite  
Sodium phenolates

Sodium silicates  
Sodium sulfate  
Sodium sulfide, liquid  
Sodium sulfite  
Soyabean oil  
Stearine  
Styrene  
Sulfur dioxide, anhydrous  
Sulfuric acid  
Sulphate, black liquor skimmings  
Sunflower oil  
Tall oil  
Tallow  
Tar acid, coal  
Tar acid, oil  
Tar, coal  
Tar, pine  
Tar, wood (hardwood tar)  
Tetrachloroethane  
Toluol (Toluene)  
Trichlorobenzol  
Trichloroethylene  
Tricresyl phosphate  
Tung oil (chinawood oil)  
Turpentine, including crude  
Turpentine, oil (spirits of turpentine: turps)  
Unfinished alcohol  
Unfinished grain spirits (suitable only for redistribution)  
Vinegar  
Vinyl acetate  
Waste waterproofing liquid  
Water not including mineral, flavored or phosphated  
Water gas tar  
Xylol (xylene)  
Zinc chloride, liquid  
Zinc sulfate, liquid

## INTERPRETATION 1

(a) Paragraph (e) (2) does not afford any exemption from the provisions of paragraphs (b) and (c) with respect to controlled shipments of any material on List 1 or List 2.

(b) Any distance or mileage which is specified in said order or on any List annexed thereto, shall, with respect to shipments by tank car, be measured over the shortest available published rail tariff route, whether or not the particular shipment is billed or transported over such route. (Issued Feb. 9, 1943.)

## INTERPRETATION 2

Whenever any city or village is specifically referred to in any zone designated on List 1, the boundary of such city or village shall be deemed to include the railroad switching limits as established in duly published rail tariffs. (Issued March 22, 1943.)

[F. R. Doc. 43-6752; Filed, April 30, 1943; 11:42 a. m.]

## PART 3209—PUBLIC SANITATION SERVICES: MAINTENANCE, REPAIR AND OPERATING SUPPLIES

[Supplementary Preference Rating Order P-141-a]

§ 3209.2 *Supplementary Preference Rating Order P-141-a—(a) Reference to P-46 in orders constitutes a reference to P-141.* Preference Rating Order P-141 was issued in lieu of Preference Rating Order P-46 in so far as the same affects public sanitation services. Any reference in any order or regulation of the War Production Board to said Preference Rating Order P-46 shall constitute a reference to orders in the P-141 series.

(b) *Authorization to construct certain sewage facilities.* Notwithstanding the provisions of paragraph (f) (3) of Preference Rating Order P-141, sewage facilities may be built by operators to serve premises, the construction or remodeling

of which is authorized under paragraph (b) (4) of Conservation Order L-41 by the issuance of a specific direction, order, certificate or other authorization for construction: *Provided*, That the following conditions are satisfied:

(1) Industrial or commercial customers:

(i) The cost of material for such sewage facilities is less than \$1,500 in the case of underground construction, or \$500 in the case of other construction:

(ii) Facilities can be built with an expenditure (including service pipe and any portion built by or for the customer) of not more than 250 pounds of iron or steel pipe not extending more than seven feet beyond the building line and the operator has so certified in a letter addressed to the War Production Board and attached to the builder's application for L-41 approval. Each operator must preserve on his own books, a record of each work order, job or project included under this paragraph.

(2) Domestic customers:

(i) The cost of material for such facilities is less than \$1,500 in the case of underground construction or \$500 in the case of other construction:

(ii) Facilities (including service pipe and any portion built for or by the customer) can be built within the limits established by the Housing Utilities Standards, issued by the War Production Board and the operator has so certified in a letter attached to the builder's application for L-41 approval. Each operator must preserve on his own books, a record of each work order, job or project included under this paragraph.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

[F. R. Doc. 43-6742; Filed, April 30, 1943; 11:41 a. m.]

## PART 3253—LUGGAGE

[General Limitation Order L-284]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials for making luggage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3253.1 *General Limitation Order L-284—(a) Definitions.* For the purpose of this order:

(1) "Luggage" means a container of the type used for the transportation of personal effects on a journey, and includes (without limitation of the foregoing) the following: animal carriers, army lockers, bellows and extension cases, Boston bags, bottle cases, carryalls, cosmetic cases, duffel, sport and furlough bags, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, over-night or week-end cases, physician's bags, picnic cases, pullman cases, pullman tray cases, salesmen's sample cases, secretary cases, shoe cases, suit cases, travelling bags, vanity

<sup>1</sup> Controlled as List 1 or List 2 materials to the extent defined in List 1 or List 2.

<sup>2</sup> Subject to such orders as may be issued by the Petroleum Administrator for War.



cases, victoria cases, women's and men's wardrobe cases, trunks of all types, and all other products that are sold and known as luggage in the trade.

(2) "Base period" means the twelve months ended December 31, 1941.

(3) "Cattle hide leather" means leather or rawhide produced from the hides or skins of bulls, steers, cows and buffaloes, whether native or branded, foreign or domestic, including calf and kipskins.

(4) "Military order" means an order for luggage to be delivered to the Army or Navy of the United States (excluding post exchanges and ship's service stores), United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(5) "Post exchanges" means United States Army post exchanges and United States Marine Corps post exchanges.

(6) "Ship's service stores" means the stores maintained by the United States Navy Ship Service Department.

(7) "Factory sales" means the net dollar volume of factory sales, excluding taxes, of luggage, as above defined, including sales (whether or not on rated orders) to post exchanges and ship's service stores but excluding sales under military orders as above defined.

Class factory sales during the base period	Factory sales permitted during any calendar semi-annual period	Rate of production on annual basis
		Percent
\$750,000 or more	25% of base period volume	50
Between \$250,000 and \$750,000	30% of base period volume	60
Between \$25,000 and \$250,000	35% of base period volume	70
Less than \$25,000	45% of base period volume	86

*Provided, however,* That nothing in this paragraph (b) (2) shall prevent any manufacturer from making factory sales up to \$1,000 per month or from producing luggage within such dollar volume.

*And provided further,* That the quota of each manufacturer shall be increased by an amount equal to 40% of the net dollar volume of any luggage delivered by him to post exchanges or ship's service stores. Such increase shall be effective during the calendar quarter following the quarter in which delivery was made.

(3) *Application to military and post exchange orders.* The restrictions in this paragraph (b) shall apply to all luggage (including that produced for post exchanges or ship's service stores, whether or not on rated orders) except luggage produced under specific military orders, as above defined.

(c) *Restrictions on sales, deliveries and inventories.* (1) No manufacturer or dealer shall sell or deliver any luggage which he knows or has reason to believe was manufactured in violation of this order.

(2) No manufacturer shall accept delivery of any item of material to be incorporated into luggage if by reason of such delivery such manufacturer's inventories of such item will be in excess of his minimum practicable working re-

(8) "Design and construction" of luggage means the make-up of the luggage in every detail, so that any two pieces of luggage of the same design and construction are necessarily identical, except in quality and color of material utilized.

(b) *Restrictions on manufacturing.* (1) *Limitations on construction.* (i) After June 30, 1943, no person shall produce any luggage except in conformity with the restrictions contained in Schedule I, annexed; and

(ii) After April 30, 1943, no person shall cut or otherwise put into process any material for the manufacture of any animal carriers, bellows and extension cases, bottle cases, cosmetic cases, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, picnic cases, secretary cases, shoe cases, vanity cases, victoria cases, women's wardrobe cases or wardrobe trunks of any type: *Provided, however,* That no person shall be deemed to be in violation of this paragraph (b) (1) (ii) in cutting material in his inventory on April 30, 1943, if the luggage into which such material is incorporated is completed prior to July 1, 1943.

(2) *Limitation on quantity produced.* No manufacturer shall produce or sell during any calendar semi-annual period, beginning July 1, 1943, a greater net dollar volume of luggage (including luggage sold by him for less than \$1.50) than that shown for his class on the following list:

further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 30th day of April 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE I

(a) *Limitation of types and styles.* (1) Subject to paragraph (a) (3) below, all items shall be of the following types and within the following maximum outside length:

Type	Maximum outside length (Inches)
Furlough Bag	20
Over-night Case	21
Pullman Case (empty)	26
Tray Pullman case	29
Men's Wardrobe	24
Men's Week-end	21
Foot Locker	31
Physician's Bag	16
Sample Cases and Sample Trunks	Unlimited

(2) Except with respect to sample cases and sample trunks, no manufacturer shall in any calendar year produce within each type mentioned above more than two price lines, i. e., either one style in two price lines or two styles in one price line each. For this purpose "style" shall refer to the design and construction of the luggage, including its size, but not to the quality or color of the material utilized.

(3) The restrictions in this paragraph (a) regarding dimensions and number of styles and price lines shall not apply to items of luggage sold by a manufacturer for less than \$1.50 or to items produced by manufacturers whose factory sales have not in any prior calendar month (subsequent to May, 1943) exceeded \$1,000.

(b) *Limitation on use of materials.* (1) None of the following materials shall be used in making luggage:

(i) Parts containing iron or steel, other than locks, bolts, dowels, handle dee rings, handle posts, vane clamps, binding corner clips, snap fasteners, buckles, hinges, rivets, screws, nails, tacks, washers, burrs, or other small hardware for essential joinings.

(ii) Any slide fasteners.

(iii) Parts containing copper, zinc, aluminum, or copper, zinc or aluminum alloys.

(iv) Cattle hide leather, except

(a) Vegetable tanned cattle hide leather under 3½ ounces in weight,

(b) Scrap leather, or

(c) Vegetable tanned bag, case and strap leather bellies under 7 ounces. Any of the foregoing may be used for handles, attaching handle pieces, welts, bindings, corners, closures, but for no other purpose.

(2) In no event shall more iron, steel, or leather be used than is essential to perform a functional purpose. The functional uses for handle loops, leather straps, leather corners and leather bindings shall be limited as follows:

(i) Leather handle loops shall consist of necessary attaching pieces only and shall not include extended strips for design or decorative purposes.

(ii) Leather straps shall be used for essential closure means only and shall not include extended or long straps.

(iii) Leather corners shall be used for essential reinforcements for the top or bottom, or both, of a case or bag only and shall not include wing-tip corners or over-sized corners for design or decorative purposes.

(iv) Leather bindings shall be used for essential reinforcements and shall not exceed 1½" width before attachment.

[F. R. Doc. 43-6743; Filed, April 30, 1943; 11:41 a. m.]



## PART 3247—BITUMINOUS COAL

[Order M-316]

The stoppage in the production of bituminous coal and the fulfillment of requirements for the defense of the United States will create a shortage in the supply of bituminous coal for defense, for private account and for export; and it is necessary and appropriate in the public interest and to promote the national defense to allocate and grant priority with respect to the supply of bituminous coal which is now in railroad cars on track, as provided in the following order:

§ 3247.1 Order M-316—(a) *General prohibition of receipt of more than ten days' supply.* (1) No person shall accept delivery from a railroad of any bituminous coal which is in any railroad car on track, if such person has, or would have after accepting delivery, more than a ten days' supply. This restriction shall apply regardless of whether such person had title to the coal on the effective date of this Order. Exceptions from this restriction are provided for in paragraphs (d) and (e) of this Order.

(2) As evidence of the right to receive not more than ten days' supply, each person accepting delivery must give the railroad an undertaking in duplicate in substantially the form of Appendix A to the effect that he has less than ten days' supply and (if he is not the original consignee) that he will pay all obligations of the consignee to the consignor with respect to such coal.

(b) *Directions to railroads by Interstate Commerce Commission.* Each railroad shall comply with all directions which the Interstate Commerce Commission may issue to give effect to this order including any supplemental directions which the Commission may issue in order to carry out the recommendations of the Solid Fuels Administrator for War to give effect to this Order. Such directions may require any railroad, notwithstanding the terms of any contract, to deliver bituminous coal for the account of the consignor to any person having less than ten days' supply who furnishes the undertaking referred to in paragraph (a) (2) of this Order, regardless of whether the coal is consigned to anyone else, and a railroad may rely on the truth of statements contained in such undertaking unless it knows them to be false.

(c) *Coal producers.* No producer or other consignor of bituminous coal shall cause delivery to be made to any person prohibited from receiving the same under this order, and no such producer shall do anything to interfere with delivery to a person entitled to receive delivery under paragraph (b), regardless of whether the producer or consignor has sold the coal to anyone else. Each producer or other consignor shall comply with all supplemental directions which the Solid Fuels Administrator may issue to give effect to this order.

(d) *Exceptions.* The provisions of this order shall not apply to:

(1) Coal specifically consigned for export (other than all rail shipment to Canadian destinations).

(2) Coal specifically consigned for water movement after dumping from cars, but coal which has been loaded in cars after completion of water movement shall be subject to this order.

(3) Coal specifically consigned for use aboard any vessel.

(4) Delivery to a consignee's siding without the undertaking required by paragraph (a) (2), if the railroad informs the consignee that delivery is made for the railroad's convenience and that the coal is still subject to reconsignment under this order. The consignee shall not unload any such coal without giving the undertaking provided in paragraph (a) (2) to the railroad which made delivery.

(5) Delivery to a connecting carrier.

(6) Any transaction which may be specifically permitted by the Interstate Commerce Commission or the Solid Fuels Administrator for War.

(e) *Supplemental directions.* The Solid Fuels Administrator for War is authorized to issue such supplemental directions and order such adjustments or exceptions as he deems necessary or appropriate to assure the most efficient distribution of the supply of bituminous coal in the interest of the war and essential civilian production, and to recommend to the Interstate Commerce Commission such action as he deems necessary or appropriate for the same purpose.

(f) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. The furnishing of the undertaking required by paragraph (a) (2) shall be deemed a representation to the War Production Board and to the Interstate Commerce Commission. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Definitions.* For the purposes of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Bituminous coal" means bituminous coal as used in the Bituminous Coal Act of 1937, as amended, and includes all bituminous, semi-bituminous and sub-bituminous coal, but excludes lignite (which is defined as a lignitic coal having calorific value in British Thermal units of less than seven thousand six hundred per pound and having a natural moisture content in place in the mine of 30 percent or more). The term includes coal produced before or after the time this Order becomes effective and put on track before or after that time, whether such coal is at the mine, in transit or elsewhere when this Order becomes effective.

(3) "Railroad" means any common carrier by railroad subject to the Interstate Commerce Act.

(4) "Ten days' supply" includes all bituminous coal of any usable kind, grade or size on hand or available. Any person who has coal in transit (if not restricted by this order) or has coal located away from the place of consumption must take such coal into account in computing whether he has a ten days' supply to the extent that such coal will be available or can practicably be made available at the place of consumption within ten days. A ten days' supply shall be deemed to include any additional amount necessary to avoid delivery of a fraction of a carload. In the case of a retail dealer, ten days' supply shall be ten times the average daily tonnage delivered by the dealer during April 1943.

(5) "Delivery" includes unloading by a railroad for its own use.

(h) *Communications.* All communications regarding this order should be addressed to the Solid Fuels Administrator for War, Washington, D. C.

(i) *Effective date.* This order shall become effective at 6:00 p. m. Eastern War Time, April 30, 1943.

Issued this 30th day of April 1943.

DONALD M. NELSON,  
Chairman.

## APPENDIX A

Undertaking to be furnished in duplicate by person receiving coal

In order to establish the right of the undersigned to receive delivery of bituminous coal under the restrictions of War Production Board Order No. M-316 the undersigned certifies to \_\_\_\_\_ and to the \_\_\_\_\_ (Name of RR)

War Production Board and the Interstate Commerce Commission that the undersigned has not, and will not have after receiving the coal identified below, more than a ten days' supply thereof as defined in said order. The undersigned (if not the original consignee of the coal) agrees, in consideration of receipt of such coal, to pay all obligations of the consignee to the consignor with respect to such coal and to pay to said railroad all applicable transportation charges, demurrage charges, and other accessorial charges.

(Date) \_\_\_\_\_

(Name of person receiving coal) \_\_\_\_\_

By \_\_\_\_\_  
(Signature of authorized official)

Identification of bituminous coal covered by this undertaking:

[F. R. Doc. 43-6760; Filed, April 30, 1943; 12:31 p. m.]

## Chapter XI—Office of Price Administration

## PART 1305—ADMINISTRATIVE

[Gen. RO 8, Amendment 1]

## GENERAL PROHIBITIONS AND PENALTIES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

General Ration Order 8 is amended in the following respect:

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 3783.



Section 1.2 is amended by inserting the words "stamp envelope" following the words "stamp card" in the definition of the term "ration document".

This amendment shall become effective May 5, 1943.

(Pub. Law No. 507, 77th Cong., 2d Sess.; WPB Dir. No. 1, 7 F.R. 562; E.O. 9125, 7 F.R. 2719; Food Dir. No. 3, Sec. of Agr., 8 F.R. 2005)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6688; Filed, April 29, 1943;  
2:23 p. m.]

#### PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[RO 2B, Amendment 3]

##### PASSENGER AUTOMOBILES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order No. 2B is amended in the following respects:

1. Section 1.6a is added to read as follows:

SEC. 1.6a *Persons who may obtain an authorization to transfer their interests in a 1942 car to the beneficial owner.*

(a) A person who establishes that before February 2, 1942, he registered a 1942 car in his name for the benefit of another person may transfer any interest which he has in the car to that person upon receiving a clearance statement from his board. A clearance statement will not be issued if the applicant has received or will receive any payment for making the transfer.

(b) Before transferring his interest in the car the applicant must first clear the transaction with his board. He shall apply for clearance on Form R-211. If he meets the requirements of this section, the board shall issue a clearance statement on Form R-202 permitting him to transfer his interest in the car to the person for whose benefit he held it and permitting that person to register the car in his name.

2. In section 1.9, paragraph (d) is renumbered paragraph (e) and a new paragraph (d) is added to read as follows:

(d) *Cars acquired before ration controls.* Any person not engaged in the sale of cars who owns an unregistered car which he acquired and had actual possession of before January 2, 1942 (or February 2, 1942, if he acquired the car from a person not engaged in the sale of cars) may obtain a clearance statement to register the car in his name.

3. A new section 1.9a is added to read as follows:

SEC. 1.9a *Dealers may obtain clearance statements from Office of Price Administration.*

\* Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 2483, 5317.

ministration, Washington, D. C.—(a) *Personal and business cars acquired before rationing controls.* Any person engaged in the sale of cars who, before January 2, 1942, acquired a 1942 car and set it aside for his use may secure a clearance statement to permit the registration of the car.

(b) *Where and how to apply for a clearance statement for a dealer's car.* Application for a clearance statement under this section shall be made by letter to the Office of Price Administration, Washington, D. C., before June 1, 1943. The application shall be supported by written evidence, wherever possible, and shall give the following information:

(1) The make, body type, serial number and engine number of the car;

(2) The date the car was delivered to the applicant;

(3) When and how the car was set aside for use from the cars held for sale by the applicant;

(4) Whether the car was reported to the Office of Price Administration in the inventory taken in February 1942.

(c) If the applicant satisfies the requirements of this section, the Office of Price Administration, Washington, D. C., will issue a clearance statement on Form R-212 for the registration of the car.

This amendment shall become effective May 5, 1943.

NOTE: All reporting or record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong., WPB Dir. 1, 7 F.R. 563, Supp. Dir. 1A, 7 F.R. 695, 1493, 2229, 2729, Supp. Dir. 1Q, 7 F.R. 9121; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6689; Filed, April 29, 1943;  
2:21 p. m.]

#### PART 1381—SOFTWOOD LUMBER

[Rev. MPR 161, Amendment 3]

##### WEST COAST LOGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

A new paragraph (g) is added to § 1381.156 as follows:

§ 1381.156 The "overtime addition". \* \* \*

(g) *Contract logging service.* Persons rendering contract logging service for any owner of stumpage, whether a seller of logs or consumer, are permitted under the provisions of § 1499.73 (a) (98) of Supplementary Regulation No. 14 to the General Maximum Price Regulation, to make the same additions for overtime operations and under the same conditions as outlined in this section. In making application for authority to

<sup>1</sup> 8 F.R. 1117, 2992.

make such additions, the contractor should indicate, in addition to the other information required by paragraph (a), the name of the person for whom the service is rendered and a statement of his maximum prices computed under § 1499.2 of the General Maximum Price Regulation.

This amendment shall become effective May 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6690; Filed, April 29, 1943;  
2:21 p. m.]

#### PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 11, Amendment 61]

##### FUEL OIL RATIONING REGULATIONS

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Section 1394.5666 (a) is amended by inserting the phrase "prior to May 1, 1943" between the phrase "any consumer who" and the word "requires".

This amendment shall become effective on May 1, 1943.

(Pub. Law 471, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Directive No. 1, 7 F.R. 562; Supp. Directive No. 1-0, as amended, 7 F.R. 8416; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6691; Filed, April 29, 1943;  
2:23 p. m.]

#### PART 1404—RATIONING OF FOOTWEAR

[RO 17, Amendment 11]

##### SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 17 is amended in the following respects:

1. Section 2.7 (a) is amended by inserting after the second sentence of the paragraph the following:

Shoes for which ration currency must be collected may be held for a consumer on special order, layaway or will call only if ration currency will be collected

<sup>1</sup> 7 F.R. 8480, 8708, 8809, 8897, 9316, 9396, 9492, 9427, 9430, 9621, 9478, 10153, 10081, 10379, 10530, 10531, 10780, 10707, 11118, 11071, 1466, 11005; 8 F.R. 165, 237, 437, 369, 374, 535, 439, 444, 607, 808, 977, 1204, 1235, 1282, 1681, 1635, 1859, 2194, 2432, 2598, 2781, 2730, 2887, 2942, 2993, 3106, 3521, 3623, 3743, 3848, 3948, 5255, 4137, 4350, 4784, 4850.

<sup>2</sup> 8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3949, 4716.



for them before the end of the period in which the current war ration shoe stamp is valid.

2. Section 2.13 (b) (5) is amended by adding after the word "intervals" the words "and showing the percentage of sales during the period covered which were mail orders."

3. Section 2.18 (a) is amended to read as follows:

(a) Manufacturers shall mark on one shoe of each pair of the types specified in section 2.11 (a) (2) which is completed, packaged, or shipped from the factory after April 15, 1943, the month and year in which the shoe is packaged. The mark may be on either the right or the left shoe but the marking in this respect must be uniform. The mark shall be embossed or indented in the shank of the outer-sole or written or marked by indelible contrasting colors on the inside of the quarter before the shoe is packaged.

4. Section 3.5 is amended by deleting the phrase "under an export license" and substituting instead the words "under a special export license."

5. Section 3.6 (b) (11) is amended by deleting the phrase "under an export license" and substituting instead the words "under a special export license."

6. The definition of "shoes" in section 3.13 is amended by deleting the words "hard-soled boudoir or house slippers; soft-soled slippers; soft-soled moccasins" and substituting instead the words "boudoir or house slippers; ballet slippers;"

This amendment shall become effective May 5, 1943.

(Pub. Law 621, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727, E.O. 9125; 7 F.R. 2719)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6692; Filed, April 29, 1943;  
2:23 p. m.]

#### PART 1404—RATIONING OF FOOTWEAR

[Ration Order 17, Amendment 12]

##### SHOES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 17 is amended in the following respects:

1. Section 1.14 (b) is amended by adding the following:

Any member of the armed services of other United Nations residing within the United States, who does not have a war ration shoe stamp may get certificates for the shoes he needs from any authorized issuing officer of the armed services of the United States.

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>8 F.R. 1749, 2040, 2487, 2943, 3315, 3371, 3853, 4129, 3949, 4716.

2. Section 3.4 (b) is amended by adding the following subparagraphs (5) (6) and (7):

(5) Were imported by representatives of foreign governments who are within the classes of persons specified in Article 432 (a) or Article 433 (c), Customs Regulations of 1937; (6) were imported by or consigned or addressed to members of the armed services of the United Nations, other than those of the United States, who are on duty within the United States if the shoes are intended for their personal or official use; or (7) are consigned or addressed to enemy prisoners of war or civilian internees or detainees in the United States, for their personal use.

This amendment shall become effective May 5, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.; W.P.B. Dir. 1, 7 F.R. 562, Supp. Dir. 1-T, 8 F.R. 1727; E.O. 9125, 7 F.R. 2719)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6693; Filed, April 29, 1943;  
2:22 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amendment 13]

##### MEAT, FATS, FISH AND CHEESES

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respects:

1. Section 1.1 (a) (1) and the definition of "meat" in section 24.1 (a) are amended by adding, at the end of each, the following sentence:

Meat does not include the items listed in section 30.2.

2. Section 30.2 is added to read as follows:

Sec. 30.2 *Items excluded from the definition of meat.* The following items are not "meat" as that term is used in this order:

Adrenal glands.  
Bile  
Epididymes  
Lymph glands  
Ovaries  
Parathyroid glands  
Pineal glands  
Pituitary glands  
Placentas  
Prostate glands  
Salivary glands  
Thyroid glands  
Tonsils

This amendment shall become effective May 5, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562,

<sup>1</sup>8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784, 4893, 4967, 5172, 5318.

and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6684; Filed, April 29, 1943;  
2:22 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 16, Amendment 15]

##### MEAT, FATS, FISH AND CHEESES

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order 16 is amended in the following respect:

The last sentence of section 10.4 (i) (3) is amended to read as follows:

Beginning March 29, 1943, he must keep a record of the dollar volume or the point value of his transfers to consumers by mail of foods covered by this order.

This amendment shall become effective May 5, 1943.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; W.P.B. Dir. 1, 7 F.R. 562, and Supp. Dir. 1-M, 7 F.R. 7234; Food Dir. 1, 8 F.R. 827; Food Dir. 3, 8 F.R. 2005; Food Dir. 5, 8 F.R. 2251; Food Dir. 6, 8 F.R. 3471; Food Dir. 7, 8 F.R. 3471)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6685; Filed, April 29, 1943;  
2:22 p. m.]

#### PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Fifth Revised Zoning Order 1 Under RO 3<sup>1</sup>]

##### SUGAR RATIONING REGULATIONS; ORDER ESTABLISHING ZONES

Pursuant to § 1407.168, the Fourth Revised Zoning Order No. 1 is amended to read as follows:

§ 1407.281 *Establishment of zones; authorization of certain deliveries, shipments and transfers.* (a) The following zones are hereby established:

Zone 1 shall include the States of Maine, New Hampshire and Rhode Island; and Barnstable, Bristol, Dukes, Essex, Middlesex, Nantucket, Norfolk, Plymouth, Suffolk and Worcester Counties in the State of Massachusetts.

Zone 2 shall include the State of Vermont; the State of Connecticut; that part of the State of Massachusetts not included in Zone 1; that part of the State of New York not

<sup>1</sup>8 F.R. 3591, 3715, 3949, 4137, 4350, 4423, 4721, 4784, 4893, 4967, 5172, 5318.



included in Zones 3 and 11; Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Sussex and Union Counties in the State of New Jersey.

Zone 3 shall include the State of Delaware; that part of the State of New Jersey not included in Zone 2; that part of the State of Pennsylvania not included in Zone 11; and Allegany, Broome, Cayuga, Chemung, Cortland, Onondaga, Ontario, Oswego, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne and Yates Counties in the State of New York.

Zone 4 shall include the State of Maryland; the District of Columbia; Berkeley, Grant, Hampshire, Hardy, Jefferson, Mineral and Morgan Counties in the State of West Virginia; Accomac, Arlington, Caroline, Charles City, Clarke, Culpeper, Elizabeth City, Essex, Fairfax, Fauquier, Frederick, Gloucester, Hanover, Henrico, Isle of Wight, James City, King and Queen, King George, King William, Lancaster, Loudoun, Madison, Mathews, Middlesex, Nansemond, New Kent, Norfolk, Northampton, Northumberland, Orange, Page, Prince George, Princess Anne, Prince William, Rappahannock, Richmond, Shenandoah, Southampton, Spotsylvania, Stafford, Surry, Sussex, Warren, Warwick, Westmoreland, York, and the independent cities of Alexandria, Fredericksburg, Hampton, Hopewell, Newport News, Norfolk, Portsmouth, Richmond, South Norfolk, Suffolk, Williamsburg and Winchester in the State of Virginia.

Zone 5 shall include all points in the State of West Virginia not included in Zones 4 and 11; all points in the State of Virginia not included in Zone 4; and all points in the State of North Carolina where the base rate is based on shipments from Baltimore, Maryland.

Zone 6 shall include the State of South Carolina; all points in the State of North Carolina not included in Zone 5; all points in the State of Georgia not included in Zone 8.

Zone 7 shall include that part of the State of Florida which lies east of the Apalachicola River.

Zone 8 shall include the States of Arkansas, Alabama, Kentucky, Louisiana, Mississippi and Tennessee; that part of the State of Florida which lies west of the Apalachicola River; Dunklin, Mississippi, New Madrid, Pemiscot and Scott Counties in the State of Missouri; Alexander, Gallatin, Hardin, Massac, Pope, Pulaski and White Counties in the State of Illinois; and Bartow, Carroll, Calhoun, Chattooga, Cherokee, Clayton, Cobb, Coweta, Dade, Dawson, DeKalb, Douglas, Fannin, Fayette, Floyd, Forsyth, Fulton, Gilmer, Gordon, Gwinnett, Haralson, Harris, Heard, Henry, Lamar, Meriwether, Murray, Muscogee, Paulding, Pickens, Pike, Polk, Spalding, Talbot, Troup, Upson, Walker, and Whitfield Counties in the State of Georgia.

Zone 9 shall include all points in the State of Texas where the base rate is 35 cents or less.

Zone 10 shall include the lower Peninsula of the State of Michigan.

Zone 11 shall include the States of Indiana and Ohio; Brooke, Hancock, Marshall and Ohio Counties in the State of West Virginia; Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Monroe, Niagara, Orleans, and Wyoming Counties in the State of New York; and Allegheny, Armstrong, Beaver, Butler, Clarion, Crawford, Elk, Erie, Forest, Greene, Jefferson, Lawrence, Mercer, McKean, Venango, Warren and Washington Counties in the State of Pennsylvania.

Zone 12 shall include all of the continental United States not included in Zones 1 to 11 inclusive.

(b) "Base rate" as used herein, refers to the lowest published refiner's base rate in effect on the date of issuance of this Fifth Revised Zoning Order No. 1.

(c) Sugar may be delivered, shipped or transferred as follows:

(1) From Zone 6 to any point in Georgia located in Zone 8.

(2) From Zone 8 to any point in Zone 9 and to any point in the States of Indiana, Ohio and West Virginia in Zone 11.

(3) From Zone 10 to any point in Zone 11.

(4) From Zone 12 to any point in Zones 9 or 11.

(d) Confectioners' sugar in bulk may be delivered, shipped or transferred from Zone 2 to any point in the State of New York; from Zone 3 to any point in the State of Pennsylvania; from Zone 4 to any point in Zone 5; from Zone 6 to any point in Zone 7; and from Zone 4 or Zone 8 to any point within the corporate limits of the City of Bristol, whether located in the State of Tennessee or in the State of Virginia.

(e) Any carrier who has, prior to the effective date of this Fifth Revised Zoning Order No. 1, accepted sugar for a delivery, shipment or transfer not at that time prohibited by §§ 1407.168 and 1407.281 may complete such delivery, shipment or transfer after the effective date of this Fifth Revised Zoning Order No. 1.

(f) Plantation granulated sugar and Louisiana crystals manufactured from the 1942-43 Louisiana sugar cane crop by the sulfitation process may be delivered, shipped, or transferred from Zone 8 to any point in any other zone.

This revised zoning order shall become effective April 29, 1943.

(Pub. Law 421, 77th Cong., Executive Order 9125, 7 F.R. 2709; Executive Order 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005; Section 1407.168 of Rationing Order No. 3)

Issued this 29th day of April 1943.

HAROLD B. ROWE,

Director, Food Rationing Division.

[F. R. Doc. 43-6686; Filed, April 29, 1943; 2:22 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[GMPR,<sup>1</sup> Amendment 165 to Supp. Reg. 14]

##### CERTAIN CONTRACT LOGGING SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

A new subparagraph (98) to § 1499.73 (a) is added to Supplementary Regulation No. 14, as follows:

(98) *Contract logging services in Oregon and Washington west of the crest of the Cascade Mountains.* The maximum prices of any contract logging service rendered in the States of Oregon

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848.

and Washington west of the crest of the Cascade Mountains, determined in accordance with the Provisions of § 1499.2 of the General Maximum Price Regulation, may be increased under the following conditions:

(i) Persons rendering contract logging service for any owner of stumpage, which results in the production of logs of the species described in Revised Maximum Price Regulation No. 161—West Coast Logs, and who operate 48 or more hours per week, may make additions to the maximum prices established for them by the General Maximum Price Regulation, in the same amounts provided for sellers of West Coast logs in § 1381.156 of Revised Maximum Price Regulation No. 161.

(ii) The right to make the additions provided for by this subparagraph are subject to all the provisions and conditions of § 1381.156 of Revised Maximum Price Regulation No. 161, which is incorporated herein by reference, and may be made only after the contract logger has filed the application required and has been authorized by order of the Administrator to make the addition in the manner provided in that section. In filing such an application, the contractor shall submit the name of the person or persons for whom the contract service is rendered and a statement of the maximum price on his contract logging service as computed under § 1499.2 of the General Maximum Price Regulation.

This amendment shall become effective May 5, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6687; Filed, April 29, 1943; 2:21 p. m.]

#### PART 1351—FOOD AND FOOD PRODUCTS

[MPR 279,<sup>1</sup> Amendment 2]

##### HOPS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 279 is amended in the following respects:

1. Section 1351.1452 is amended to read as follows:

§ 1351.1452 *Maximum prices for hops grown prior to the 1942 crop.* The maximum prices for sales of Pacific Coast hops grown prior to the 1942 crop shall be as follows:

(a) For sales of Pacific Coast seeded or seedless hops by growers, 43 cents per pound, f. o. b. grower's farm, warehouse or place of business.

(b) For sales of Pacific Coast seeded or seedless hops by dealers (including grower cooperatives and grower deal-

<sup>1</sup> 7 F.R. 10227, 10379.

<sup>1</sup> 7 F.R. 2966, 3242, 3783, 4545, 4618, 5193, 5361, 6084, 6473, 6828, 6937, 7289, 7321, 7406, 7510, 7557, 8402, 8655, 8710, 8739, 8809, 8831, 9042, 9396, 9460, 9899, 10017, 10258, 10556, 10845; 8 F.R. 166, 262, 445, 620, 1028, 1204, 1288, 2026, 2153, 2432, 2433, 2675, 2758, 3176, 3180, 3522, 4484, 4519, 4644, 4930, 4977, 5318.



ers), 51 cents per pound, f. o. b. Pacific Coast shipping point.

(c) For sales of Pacific Coast seeded or seedless hops by brewers' supply dealers, 58 cents per pound, f. o. b. brewers supply dealer's warehouse or place of business.

2. Section 1354.1454 is revoked.

This amendment shall become effective April 29, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7671; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

Approved:

JESSE W. TAPP,  
Acting Administrator,  
War Food Administration.

[F. R. Doc. 43-6699; Filed, April 29, 1943;  
4:18 p. m.]

#### PART 1499—COMMODITIES AND SERVICES [MPR 165; Amendment 19]

##### SERVICES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 165 is amended in the following respect:

Section 1499.101 (c) (15) is amended to read as follows:

(15) Clothing, garments, finished or manufactured articles made of textiles or leather, household fabrics (including but not limited to coats, corsets, curtains, draperies, dresses, gloves, hats, hosiery, millinery, slip covers, suits, or uniforms)—alteration, blocking, cleaning, dyeing, mending, moth-proofing, pressing, remodeling, rental, repair, or waterproofing of (including but not limited to locker club and valet service, rental of costumes and dress suits) and the making of draperies and slip covers on a custom basis by a person other than the seller of the fabric—but not including services performed by the seller of such commodities in connection with the sale thereof.

This amendment shall become effective May 5, 1943.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6700; Filed, April 29, 1943;  
4:18 p. m.]

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 6428, 6966, 8239, 8431, 8798, 8943, 8948, 9197, 9342, 9343, 9785, 9971, 9972, 10480, 10619, 10718, 11010; 8 F.R. 1060, 3324, 4782.

#### Chapter XIII—Petroleum Administration for War

[Petroleum Directive 59, as Amended,  
Amendment 2]

##### PART 1510—SUPPLY

##### PURCHASES, SALES, EXCHANGES, AND LOANS OF PRINCIPAL PETROLEUM PRODUCTS

Section 1510.29 *Petroleum Directive* 59, as amended February 10, 1943, (8 F.R. 2041) is hereby amended by changing § 1510.29 (e) to read as follows:

(e) Subject to the supervision of the District Director of Marketing, District One, the subcommittee shall arrange for purchases, sales, exchanges, and loans of the principal petroleum products among the original suppliers so as to provide each such original supplier with a proportionate part of each of the principal petroleum products available for distribution in each zone on the basis of the sales position of each such original supplier as determined under § 1510.29 (a) hereof.

Subject to the supervision of the said Director, the subcommittee may withhold from the amount of each product expected to be available for distribution as shown by the supply forecasts referred to in § 1510.28 hereof, an amount not to exceed three per cent of motor fuel and five per cent of the other principal petroleum products as a supply subject to distribution to original suppliers by the subcommittee under the supervision of the said Director to meet emergency, extraordinary, or unexpected conditions that may arise with respect to any original supplier.

The Director of Petroleum Supply shall notify the subcommittee as far in advance as is practicable of the quantities of principal petroleum products required by the various Federal governmental departments and agencies for consumption in District One. Such notice shall specify the times when such products are required, and the supply terminals and supply areas where they are required. Such quantities shall be withheld from the amount of each principal petroleum product expected to be available for distribution, as shown by the said supply forecasts, in addition to the amount withheld as above provided. Subject to the supervision of the said District Director of Marketing, such quantities of principal petroleum products will be assigned by the subcommittee, as and when needed, to the original suppliers who obtain or whose customers obtain contracts with the Federal Government to supply said products. It shall be the duty of each original supplier on behalf of his customers promptly to obtain an assignment of such principal petroleum products as may be required to provide the amounts thereof which such customer has contracted to supply to any Federal governmental department or agency, and it shall be the duty of such original supplier to assure that such principal petroleum products are made available to such

customer for delivery to meet such customer's contractual commitments therefor to the Federal Government. Each original supplier who has or whose customers have contracts with any Federal Government department or agency shall promptly notify the subcommittee of any increase or decrease in the requirements of any such department or agency under any such contracts, and shall render monthly statements to the subcommittee setting forth the quantity of principal petroleum products actually delivered under such contracts during the preceding month.

The terms and conditions of any sale, loan, or exchange to be made pursuant to this section shall be negotiated between the individual parties to any such transaction: *Provided, however, That:*

(1) If delivery under the sale is made in Zones One, Two, Three, Four, or Five, District One, the price agreed upon by the parties shall not exceed the applicable maximum price regulation, as amended or supplemented, or other order of the Price Administrator, or the sum of the following items, whichever is lower:

(i) The value of the product at the normal origin as provided in section (5) (b) (ii) of Petroleum Compensatory Adjustments Regulation No. 1, issued by Defense Supplies Corporation.

(ii) The cost of transporting the product from the normal origin by the normal method of transportation which was used during the calendar year 1941 to the supply terminal as determined by Petroleum Compensatory Adjustments Regulation No. 1, except that if, at any supply terminal designated on the schedule referred to in § 1510.29 (b), such normal cost differs as between original suppliers, then the Director of Transportation, Office of Petroleum Coordinator for War, may establish the cost of that normal method of transportation by which the greatest volume of the particular product normally moved to the supply terminal. In such event, such cost shall be used by all original suppliers using said terminal.

(iii) Reasonable storage and handling charges incurred by the seller within District One for which no recovery may be had under Petroleum Compensatory Adjustments Regulation No. 1: *Provided, however, That* such charges shall not exceed the thruput rates which may be established and approved pursuant to § 1510.29 (c) for each supply terminal.

(iv) Cost of any additional transportation from the supply terminal to the point at which delivery is made by the seller to the buyer, for which no recovery may be had under Petroleum Compensatory Adjustments Regulation No. 1.

(v) The amounts or revenue resulting from any increase in the maximum price of the product sold which must be accounted for under the Plan for Equitable Sharing of Revenue and Extra Transportation Expenses approved under Recommendation No. 12, or under Petroleum Compensatory Adjustments Regulation



No. 1 issued by Defense Supplies Corporation.

(vi) Any and all taxes which the seller is required to pay with respect to the transportation, sale, or delivery of the principal petroleum product so sold.

(2) If delivery be made in Zone Six, District One, the price agreed upon by the parties shall allow for a reasonable margin below the prices generally prevailing for sales to other classes of resellers. Such price shall not exceed, however, the applicable maximum price regulation as amended or supplemented, or other order of the Price Administrator.

In the event the individuals are unable to agree upon a fair and reasonable price hereunder, then any such dispute shall be referred to the Director of Petroleum Supply, Office of Petroleum Coordinator for War, for such action as he may direct.

(3) Sales between original suppliers made in accordance with the price provisions set forth in § 1510.29 hereof and which are arranged for by the Subcommittee of Supplies and Distribution under this section, shall not be deemed to effect any discrimination against any buyer (including any original supplier) to whom any sale not arranged for under this section is made at any higher price permitted under any applicable price regulation.

(E.O. 9276, 7 F.R. 10091; E.O. 9319, 8 F.R. 3687)

Issued this 24th day of April, 1943.

R. K. DAVIES,  
Deputy Petroleum  
Administrator for War.

[F. R. Doc. 43-6736; Filed, April 30, 1943;  
11:30 a. m.]

#### TITLE 49—TRANSPORTATION AND RAILROADS

##### Chapter I—Interstate Commerce Commission

##### PART 122—MONTHLY OPERATING REPORTS REVENUES AND EXPENSES

At a session of the Interstate Commerce Commission, Division I, held at its office in Washington, D. C., on the 20th day of April, A. D. 1943.

The matter of monthly reports of revenues and expenses of Class I steam railways being under consideration:

*It is ordered*, That the order dated October 31, 1942, in the matter of monthly reports of revenues and expenses of Class I steam railways (§ 122.1 (a) and (b), of Title 49, Code of Federal Regulations) be and it is hereby vacated and set aside, effective July 1, 1943, and the following order shall become effective:

§ 122.1 *Revenues and expenses.* Commencing with the month of July 1943, and monthly thereafter until further order, each and every Class I Steam Railway, excluding Class I Switching and Terminal Companies, subject to the provisions of section 20 of Part I of the Interstate Commerce Act, is hereby re-

quired to file under oath monthly reports, in duplicate, of Revenues and Expenses in accordance with the form of report which is attached hereto and made a part of this order.<sup>1</sup> Such monthly reports shall be filed in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D. C., on or before the twenty-sixth day of the month next succeeding the month for which made.

(Sec. 20, 24 Stat. 386, sec. 7, 34 Stat. 593, 35 Stat. 649, sec. 14, 36 Stat. 556, sec. 435, 41 Stat. 493, sec. 13, 54 Stat. 916; 49 U.S.C. 20 (1)-(8))

By the Commission, Division 1.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-6714; Filed, April 30, 1943;  
10:32 a. m.]

##### Chapter II—Office of Defense Transportation

[General Order ODT 18, Revised, Amendment 2]

##### PART 500—CONSERVATION OF RAIL EQUIPMENT

##### SUBPART C—CARLOAD FREIGHT TRAFFIC

Pursuant to Executive Order 8989, paragraph (a), § 500.25 of General Order ODT 18, Revised, as amended (7 F.R. 8337, 10083), is hereby amended to read as follows:

(a) Each rail carrier, in connection with freight subject to this subpart, shall permit a single stop of any freight car in transit to complete loading or shall permit a stop for partial unloading (but not both) when the stop-off point is intermediate between point of origin and destination over the route of movement: *Provided*, That the provisions of this § 500.25 shall not be construed to require a rail carrier to permit such stops in connection with shipments of:

(5) Freight consisting of watermelons or fresh peaches.

This General Order ODT 18, Revised, Amendment 2, shall become effective April 30, 1943.

(E.O. 8989, 6 F.R. 6725)

Issued at Washington, D. C., this 30th day of April 1943.

JOSEPH B. EASTMAN,  
Director, Office of  
Defense Transportation.

[F. R. Doc. 43-6716; Filed, April 30, 1943;  
11:13 a. m.]

[Suspension Order ODT 9-2]

##### PART 522—DIRECTION OF TRAFFIC MOVEMENT EXCEPTIONS, SUSPENSIONS AND PERMITS

##### SUBPART B—MOVEMENT OF COAL ON THE GREAT LAKES

Pursuant to Executive Order 8989, issued December 18, 1941: *It is hereby ordered*, That:

<sup>1</sup> Report filed as part of the original document.

§ 522.604 *Suspension of provisions of General Order ODT 9 and General Permit ODT 9-1.* All provisions of General Order ODT 9 (7 F.R. 3905), and General Permit ODT 9-1 (7 F.R. 3906), shall be and the same are hereby suspended until May 15, 1943.

(E.O. 8989, 6 F.R. 6725)

Issued at Washington, D. C., this 30th day of April 1943.

JOSEPH B. EASTMAN,  
Director, Office of  
Defense Transportation.

[F. R. Doc. 43-6715; Filed, April 30, 1943;  
11:13 a. m.]

#### Notices

##### DEPARTMENT OF THE INTERIOR.

##### Bituminous Coal Division.

[Docket No. A-1956]

##### DISTRICT BOARD 11

##### ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 11 for the establishment of temporary price classifications and minimum prices for Mine Index No. 1390.

An original petition pursuant to section 4 II (d) of the Bituminous Coal Act of 1937 was filed with the Division by the above-named party, requesting the temporary establishment of price classifications and minimum prices for the coals of the Minnehaha Seventh Vein Mine, Mine Index No. 1390, and for permission to mix temporarily the coals of this mine with the coals of the Minnehaha Sixth Vein Mine, Mine Index No. 60 of Hickory Grove Coal Mining Corporation in District No. 11; and

A reasonable showing necessity having been made for the granting of the temporary relief in the manner hereinafter set forth; no petitions of intervention having been filed with the Division in the above-entitled matter, and the following action being deemed necessary in order to effectuate the purposes of the Act:

*It is ordered*, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedules of Effective Minimum Prices for District No. 11 for All Shipments Except Truck and for Truck Shipments are supplemented to include the price classifications, minimum prices and other matter set forth in the schedules marked "Supplement R" and "Supplement T" annexed hereto and made a part hereof.

*It is further ordered*, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.



The original petition in this matter requests permission to mix temporarily the production of the Minnehaha Seventh Vein Mine in average proportions of 25 percent seventh vein coal with 75 percent sixth vein coal produced by the Minnehaha Sixth Vein Mine. The petition does not indicate, however, over what period or upon what tonnage such an average is to be computed. In view of the indefiniteness of the limitation proposed by the petition and since it does not appear that any person will be prejudiced if no limitation is imposed upon the proportions of the mixture during the period of the temporary relief herein granted, no limitation has been imposed herein upon the proportions in which the coals of the two mines may be mixed.

Dated: April 27, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6723; Filed, April 30, 1943;  
11:08 a. m.]

[Docket No. 1792-FD]

WALTER H. ELDRIDGE

ORDER DISMISSING COMPLAINT AND CANCEL-  
LING HEARING

A complaint in the above-entitled matter having been filed with the Bituminous Coal Division on July 3, 1941, by the Bituminous Coal Producers Board for District No. 13, complainant, alleging that Walter H. Eldridge, code member, had willfully violated the Bituminous Coal Act and rules and regulations thereunder;

A hearing in the above-entitled matter having been scheduled by Order dated August 19, 1941, and having been postponed by Order dated September 11, 1941, to a date and place to be thereafter designated;

A motion having been filed in the above-entitled matter by the said complainant with the Bituminous Coal Division on April 9, 1943 for dismissal of the aforesaid complaint without prejudice; and

Good cause having been shown for the dismissal of said complaint without prejudice:

Now, therefore, it is ordered, That the said complaint filed herein be and the same hereby is dismissed without prejudice.

It is further ordered, That the aforesaid hearing in the above-entitled matter be and the same hereby is cancelled.

Dated: April 28, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6722; Filed, April 30, 1943;  
11:08 a. m.]

[Docket No. A-1960]

DISTRICT BOARD 10

ORDER GRANTING TEMPORARY RELIEF

In the matter of the petition of District Board No. 10 for establishment of price classifications and minimum prices for Mine Index No. 1601.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

No. 86—4

of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of Champion Mine, Mine Index No. 1601, of Deep Valley Coal Company. Although this petition did not set forth sufficient facts upon which permanent relief may be based, reasonable necessity appears for the granting of temporary relief in the manner hereinafter set forth.

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 10 for All Shipments Except Truck is amended to include the price classifications and minimum prices set forth in the schedule marked Supplement R annexed hereto and made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The original petition in this matter requests that no exceptions be allowed with respect to locomotive fuel sold to off-line railroads. Nevertheless, since Railroad Locomotive Fuel Price Exception 1-A on page 45 of Price Schedule No. 1, in District No. 10, for All Shipments Except Truck is applicable to the coals of all other mines in Price Groups 14 and 15 of District No. 10 for which minimum prices have been established for all shipments except truck, and since adequate reason has not been advanced for denying the application of this Price Exception for the coals of Mine Index No. 1601, the relief granted affords the producer herein involved the same competitive opportunity available to all other producers similarly situated by making the said Price Exception applicable to the coals of its mine, Mine Index No. 1601.

An order scheduling a hearing for the purpose of adducing facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 28, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6721; Filed, April 30, 1943;  
11:08 a. m.]

[Docket Nos. A-1943 and A-1943, Part II]

DISTRICT BOARD 13

MEMORANDUM OPINION AND ORDER

In the matter of the petition of District Board No. 13 for the establishment

of price classifications and minimum prices and for other relief for the coals of certain mines; Docket No. A-1943.

In the matter of the petition of District Board No. 13 for the establishment of price classifications and minimum prices for Mine Index Nos. 1466, 564 and 1743 for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing; Docket No. A-1943, Part II.

Memorandum opinion and order severing Docket No. A-1943, Part II from Docket No. A-1943 and granting temporary relief in Docket No. A-1943, Part II.

The original petition in the above-entitled matter, which was filed with the Division by District Board No. 13 pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requests among other things, the establishment of temporary and permanent price classifications and minimum prices for the coals in certain size groups produced by Mine Index Nos. 1466, 564 and 1743, for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing. Sufficient facts are not set forth in the petition, however, to justify the granting of this relief as requested. Nevertheless, an adequate showing of necessity has been made for the temporary relief herein-after granted.

Now, therefore, it is ordered, That the portion of Docket No. A-1943 relating to the establishment of price classifications and minimum prices for the coals produced at the Connelsville Drift Mine, Mine Index No. 1466, of Harry Reynolds (Harry Reynolds Coal & Coke Company); Nauvoo Strip Mine, Mine Index No. 564, of Sam Alread, and Gambill Mine, Mine Index No. 1743, of D. B. McLain, in District No. 13, for shipment by railroad, applicable for all uses except railroad locomotive fuel, steamship bunker fuel and blacksmithing, be, and it hereby is, severed from the remainder of Docket No. A-1943, and designated as Docket No. A-1943, Part II.

It is further ordered, That, pending further order, temporary relief is granted as follows: Commencing forthwith, the Schedule of Effective Minimum Prices for District No. 13 for All Shipments Except Truck is supplemented to include the price classifications and minimum prices set forth in the Schedule marked Temporary Supplement R, annexed hereto and made a part hereof.

An order scheduling a hearing for the purpose of adducing facts upon which final relief in this matter may be based will be issued in due course.

Dated: April 27, 1943.

[SEAL] DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6720; Filed, April 30, 1943;  
11:09 a. m.]

[Docket No. B-360]

PROVIDENCE COAL MINING COMPANY

ORDER CANCELLING HEARING, ETC.

Order cancelling hearing, granting amended application filed pursuant to § 301.132 of the rules of practice and



procedure, terminating code membership and providing for payment of tax before restoration of code membership.

A complaint dated October 8, 1942, pursuant to the provisions of sections 4 II (j) and 5 (b) of the Bituminous Coal Act of 1937 (the "Act"), having been duly filed on October 12, 1942, by the Bituminous Coal Producers Board for District 9, a District Board (the "Complainant"), with the Bituminous Coal Division (the "Division"), alleging that Providence Coal Mining Company, a Code Member (the "Code Member"), whose address is Providence, Kentucky, wilfully violated the provisions of the Act, the Bituminous Coal Code (the "Code") and orders, rules and regulations promulgated thereunder, as more fully set forth in the complaint; and

Said complaint having been duly served on the Code Member on October 8, 1942, and a Notice of and Order for Hearing, dated February 5, 1943, having been duly served on the Code Member on February 8, 1943, and the hearing herein having been postponed by order issued March 10, 1943, to a time and place to be thereafter designated by an appropriate order; and

An application of the Code Member for the disposition of this proceeding without formal hearing, subsequently amended and supplemented by permission of the Director (the "Application"), having been filed with the Division on February 22, 1943; and

Notice of filing of the Application having been published in the FEDERAL REGISTER on March 31, 1943, pursuant to said § 301.132, and a conformed copy thereof having been mailed to the complainant herein; and

Said notice of filing having provided that interested parties desiring to do so might, within fifteen (15) days from the date of said notice, file recommendations or requests for informal conferences with respect to the Application, and it appearing that no such recommendations or requests have been filed with the Division within said 15-day period; and

It appearing from the Application that the Code Member admits that it wilfully violated sections 4 II (e) of the Act and Part II (e) of the Code (a) by selling during the period October 22, 1940, to April 9, 1941, inclusive, through the Kirkpatrick Coal Company, a registered distributor, Memphis, Tennessee, agent of the Kentucky Coal Agency, Madisonville, Kentucky and sub-agent of the Code Member, for rail shipment to various purchasers a total of 143.27 tons of various sizes of coal produced by the Code Member at prices ranging from 5¢ to 15¢ per ton below the effective minimum prices established for said coal by the Division; and (b) by selling during the period October 26, 1940 to April 2, 1941, inclusive, for rail shipment to various purchasers a total of 771.97 tons of various sizes of coal to various purchasers at prices ranging from 10¢ to 25¢ below the effective minimum prices established for said coal by the Division; and, upon the basis of the foregoing admitted violations, consents to the entry of an order revoking and cancelling its Code Membership and agrees to pay a tax in

the amount of \$653.17 as a condition precedent to the restoration of its Code Membership; and

It further appearing that the Code Member represents that it has not to the best of its knowledge committed any violations of the Act, the Code, or regulations thereunder, other than those admitted in the Application and more particularly described therein;

Now, therefore, pursuant to authority vested in the Division by section 4 II (j) of the Act, authorizing it to adjust complaints of violations and to compose the differences of the parties thereto, and upon the Application of the Code Member pursuant to said § 301.132 of the Rules of Practice and Procedure, and upon evidence in possession of the Division; It is hereby found, that:

1. Providence Coal Mining Company is a corporation with its principal place of business at Providence, Kentucky, and is engaged in the business of mining and selling bituminous coal;

2. Providence Coal Mining Company, a Code Member, whose Code acceptance became effective June 21, 1937, is now a Code Member and as such formerly operated Providence No. 3 Mine, Mine Index No. 65, located in Webster County, Kentucky in District No. 9;

3. Providence Coal Mining Company wilfully violated the Act, and the Code, as follows:

a. Section 4 Part II (e) of the Act and Part II (e) of the Code by selling during the period October 22, 1940 to April 9, 1941, inclusive, through the Kirkpatrick Coal Company, a registered distributor, Memphis, Tennessee, agent of the Kentucky Coal Agency, Madisonville, Kentucky and sub-agent of the Code Member, for rail shipment to various purchasers a total of 143.27 tons of various sizes of coal produced by the Code Member at said Providence No. 3 Mine at prices ranging from 5¢ to 15¢ per ton below the effective minimum prices established for said coal by the Division;

b. Section 4 Part II (e) of the Act and Part II (e) of the Code by selling during the period October 26, 1940 to April 2, 1941, inclusive, for rail shipment to various purchasers a total of 771.97 tons of various sizes of coal produced by the Code Member at said Providence No. 3 Mine at prices ranging from 10¢ to 25¢ below the effective minimum prices established for said coal by the Division.

It is further found, upon the basis of the foregoing findings, that the amount of the tax required to be paid by the Code Member, as provided in section 5 (c) of the Act, is \$653.17, which is 39% of the aggregate effective f. o. b. mine prices for the coal involved in the sales referred to in paragraphs 3 a and b above.

Now, therefore, on the basis of the above findings and the said admissions and the consent filed by the Providence Coal Mining Company, pursuant to § 301.132 of the Rules of Practice and Procedure;

It is ordered, That the application of Providence Coal Mining Company be and the same hereby is granted; and

It is further ordered, That, pursuant to section 5 (b) of the Act, the membership of Providence Coal Mining Company

in the Code be and the same hereby is revoked and cancelled, effective fifteen (15) days from date hereof; and

It is further ordered, That, prior to restoration of Providence Coal Mining Company to membership in the Code, there shall be paid to the United States a tax in the amount of \$653.17 as provided in section 5 (c) of the Act; and

It is further ordered, That the hearing in this matter heretofore postponed by order dated March 10, 1943 to a time and place to be thereafter designated be and the same hereby is cancelled.

Dated: April 29, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6719; Filed, April 30, 1943;  
11:09 a. m.]

[Docket No. B-208]

WALTER BUCKLES

#### MEMORANDUM OPINION AND ORDER CANCELLING AND REVOKING CODE MEMBERSHIP

On February 24, 1943, after notice and hearing, Charles S. Mitchell, a duly designated Examiner of the Division, submitted a Report in which he found that code member, Walter Buckles, operating the Buckles Mine, Mine Index No. 2785, in Laurel County, Kentucky, in District 8, wilfully violated section 4 II (e) of the Bituminous Coal Act of 1937 and the corresponding section of the Bituminous Coal Code by making sales of coal produced at such mine as follows:

(a) On September 9, 1941, 30 tons of  $\frac{3}{8}$ " x 0 high volatile slack, Size Group 8, at a price of 23 cents per net ton f. o. b. the mine, whereas the established minimum price for such coal was \$1.50 per net ton f. o. b. the mine;

(b) On September 25, 1941, 30 tons of  $\frac{3}{8}$ " x 0 high volatile slack, Size Group 8, at a price of 23 cents per net ton f. o. b. the mine, whereas the established minimum price for such coal was \$1.50 per net ton f. o. b. the mine; and

(c) From September 1, 1941, to October 31, 1941, 50 tons of  $1\frac{1}{2}$ " high volatile nut and slack, Size Group 7, at a price of \$1.00 per net ton f. o. b. the mine, whereas the established minimum price for such coal was \$1.55 per net ton f. o. b. the mine.

The Examiner recommended that an Order be entered cancelling and revoking the code membership of Walter Buckles and providing that prior to restoration of the same he shall pay to the United States a tax computed in accordance with the provisions of section 5 (c) of the Act, in the amount of \$65.32.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the Report of the Examiner and find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law, and recommendation set forth in the Report, and upon the entire record in this proceeding,

It is hereby ordered, That the proposed findings of fact and proposed conclu-



sions of law of the Examiner are approved and adopted as the findings of fact and conclusions of law of the Director.

*It is further ordered,* That the code membership of Walter Buckles, operating the Buckles Mine, Mine Index No. 2785, in Laurel County, Kentucky, in District 8, be, and it hereby is, cancelled and revoked.

*It is further ordered,* That prior to reinstatement of said Walter Buckles to membership in the Code, he shall pay to the United States a tax in the amount of \$65.32 as provided in section 5 (c) of the Act.

Dated: April 29, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6718; Filed, April 30, 1943;  
11:10 a. m.]

[Docket No. B-339]

CALLAHAN MINING CO.

#### MEMORANDUM OPINION AND ORDER TO CEASE AND DESIST

In the matter of Homer W. Callahan and Elizabeth Sheen Callahan, individually and as copartners, doing business under the name and style of Callahan Mining Company, Code Members.

On March 13, 1943, after notice and hearing, W. A. Cuff, a duly designated Examiner of the Division submitted a Report in which he found that code members Homer W. Callahan and Elizabeth Sheen Callahan, individually and as copartners, doing business under the name and style of Callahan Mining Company, operating the Callahan Mine (Mine Index No. 1368) located in Columbiana County, Ohio, in Subdistrict 4 of District 4, wilfully violated the Bituminous Coal Act of 1937, and the Bituminous Coal Code and the rules and regulations thereunder especially Order No. 307, dated December 11, 1940, and Order No. 309, dated January 14, 1941, by failing and refusing to file with the Statistical Bureau for District No. 4 at Cleveland, Ohio, within five days after the end of each month for each month commencing with January 1941, to and including October 12, 1942:

(1) Copies of all truck tickets, sales slips or invoices for each sale of coal produced at the above-named mine and shipped therefrom to various purchasers giving the information required by section III (b) of Order No. 307, dated December 11, 1940, or,

(2) A list of each of such sales giving the information required by section III (b) of said Order No. 307, dated December 11, 1940, Order 309, dated January 14, 1941, and section 4 II (a) of the Act and Part II (a) of the Code.

The Examiner recommended that an order be entered requiring code members to cease and desist from violation of the Act, the Code and the rules and regulations thereunder, especially Order No. 307, dated December 11, 1940, and Order No. 309, dated January 14, 1941, or from otherwise violating the Act, the Code, or orders, rules and regulations thereunder.

Opportunity was afforded to all parties to file exceptions to the Examiner's Report. No exceptions have been filed.

I have considered the report of the Examiner, and I find that it adequately and accurately reflects the evidence disclosed in the record. Upon the basis of the proposed findings of fact, proposed conclusions of law and recommendations set forth in the Report and upon the entire record in this proceeding;

*It is hereby ordered,* That the proposed findings of fact and the proposed conclusions of law of the Examiner are approved and adapted as the findings of fact and conclusions of law of the Director.

*It is further ordered,* That code members Homer W. Callahan and Elizabeth Sheen Callahan, individually, and as copartners doing business under the name and style of Callahan Mining Company, operating the Callahan Mine (Mine Index No. 1368) in Columbiana County, Ohio, their agents, employees, representatives, successors and assigns, and all persons acting or claiming to act on their behalf or interest, cease and desist from violating the Act, the Code and the rules and regulations thereunder, especially Order No. 307, dated December 11, 1940, and Order No. 309, dated January 14, 1941, or from otherwise violating the provisions of the Act, the Code, and orders, rules and regulations issued thereunder.

Notice is hereby given that upon failure or refusal to comply with this order, the Division may apply to a United States Circuit Court of Appeals for the enforcement thereof, or may otherwise proceed as authorized by the Act.

Dated April 29, 1943.

[SEAL]

DAN H. WHEELER,  
Director.

[F. R. Doc. 43-6717; Filed, April 30, 1943;  
11:10 a. m.]

#### DEPARTMENT OF LABOR.

##### Wage and Hour Division.

DURABLE PANTS CO., INC.

#### NOTICE OF GRANTING OF APPLICATION AND OF HEARING

Notice of the granting of an application for reconsideration of two orders, cancelling special learner certificates; and of a public hearing on reconsideration.

Notice is hereby given that the application of the Durable Pants Company, Inc. of Northampton and Egypt, Pennsylvania for reconsideration of the orders of the duly authorized representative of the Administrator, dated January 15, 1943, (8 F.R. 991) cancelling one special learner certificate issued to the petitioner at his plant in Northampton, Pennsylvania, and two special learner certificates issued to the petitioner at his plant in Egypt, Pennsylvania, has been granted. A public hearing in the matter of the reconsideration of these orders will be convened before the undersigned on Saturday, May 15, 1943 at 10 a. m. at 165 West 46th Street, New York, New York.

The effective date of the above cited orders of cancellation is herewith postponed until final action is taken on this application.

Signed at New York, New York this 27th day of April 1943.

ISABEL FERGUSON,  
Duly Authorized Representative  
of the Administrator.

[F. R. Doc. 43-6712; Filed, April 30, 1943;  
9:42 a. m.]

UNIVERSAL PANTS CO., INC.

#### NOTICE OF GRANTING OF APPLICATION AND OF HEARING

Notice of the granting of an application for reconsideration of an order cancelling a special learner certificate; and of a public hearing on reconsideration.

Notice is hereby given that the application of the Universal Pants Company, Inc. of Northampton, Pennsylvania, for reconsideration of the order of the duly authorized representative of the Administrator, dated January 15, 1943 (8 F.R. 991), cancelling a special learner certificate, has been granted. A public hearing in this matter will be convened before the undersigned on Saturday, May 15, 1943, at 10 a. m. at 165 West 46th Street, New York, New York.

The effective date of the above cited order of cancellation is herewith postponed until final action is taken on this application.

Signed at New York, New York this 27th day of April 1943.

ISABEL FERGUSON,  
Duly Authorized Representative  
of the Administrator.

[F. R. Doc. 43-6713; Filed, April 30, 1943;  
9:42 a. m.]

#### FEDERAL TRADE COMMISSION.

[Docket No. 4908]

MASTER LABORATORIES, INC.

#### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of April, A. D. 1943.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41).

*It is ordered,* That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

*It is further ordered,* That the taking of testimony in this proceeding begin on Wednesday, May 5, 1943, at ten o'clock in the forenoon of that day (Central Standard Time), County Court Room, County Court House, Omaha, Nebraska.



Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-6754; Filed, April 30, 1943;  
11:45 a. m.]

[Docket No. 4766]

#### THE EN-EX COMPANY

#### ORDER APPOINTING TRIAL EXAMINER AND FIXING TIME AND PLACE FOR TAKING TESTIMONY

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 28th day of April, A. D. 1943.

In the matter of Phillip Bartell, trading as The En-Ex Company and The En-Ex Distributing Company.

This matter being at issue and ready for the taking of testimony, and pursuant to authority vested in the Federal Trade Commission, under an Act of Congress (38 Stat. 717; 15 U.S.C.A., section 41),

It is ordered, That J. Earl Cox, a trial examiner of this Commission, be and he hereby is designated and appointed to take testimony and receive evidence in this proceeding and to perform all other duties authorized by law;

It is further ordered, That the taking of testimony in this proceeding begin on Tuesday, May 11, 1943, at ten o'clock in the forenoon of that day (Eastern Standard Time) in Room 218, Federal Building, Cleveland, Ohio.

Upon completion of testimony for the Federal Trade Commission, the trial examiner is directed to proceed immediately to take testimony and evidence on behalf of the respondent. The trial examiner will then close the case and make his report upon the evidence.

By the Commission.

[SEAL] OTIS B. JOHNSON,  
Secretary.

[F. R. Doc. 43-6753; Filed, April 30, 1943;  
11:45 a. m.]

#### OFFICE OF DEFENSE TRANSPORTATION.

#### DODDS ALDERNEY DAIRY, INC., AND QUINBY DAIRY

#### JOINT ACTION PLAN IN KENMORE, HAMBURG AND ORCHARD PARK, N. Y.

Pursuant to a provision of a general order issued by the Office of Defense Transportation for the purpose, among others, of conserving and providently utilizing motor vehicles and vital equipment, materials and supplies (General Order ODT 17, as amended, 7 F.R. 5678, 7694, 9623), Dodds Alderney Dairy, Inc., Buffalo, New York and Nellie Quinby, doing business as Quinby Dairy, Hamburg, New York, have filed with the Office of Defense Transportation for approval a joint action plan relating to the transportation and delivery by motor vehicle of milk in Kenmore, Hamburg and Orchard Park, New York.

The participants in the plan are engaged in the sale and distribution of milk in the village of Kenmore, which is north of Buffalo and in the villages of Hamburg and Orchard Park, which are south of Buffalo. This involves cross-hauling for 10 or 12 miles and considerable waste of transportation equipment. For the purpose of eliminating this waste it is proposed that Dodds Alderney Dairy, Inc. will discontinue delivering milk to customers in Hamburg and Orchard Park and Nellie Quinby, doing business as Quinby Dairy, will discontinue delivering milk to customers in Kenmore. In so doing, each participant will notify its customers in the affected territory of the contemplated action and recommend to them the services of the other participant; will furnish the other participant with a list of such customers; and, while the plan is in effect, will not solicit or accept any new customers in the territory withdrawn from. No money or other consideration is to be paid by either participant to the other by way of equalizing volume, earnings, or otherwise, the proposed plan involving merely temporary withdrawal from the respective territories regardless of the volume of business conducted therein. It is estimated that operation under the plan will save approximately 100 truck-miles a week for each participant. The customers have, in addition to the participants, a choice of four or more competitive dairies.

It appearing that the proposed joint action plan is in conformity with General Order ODT 17, as amended, and that the effectuation thereof will accomplish substantial conservation and efficient utilization of motor trucks and vital materials and supplies, the attainment of which purposes is essential to the successful prosecution of the war, I have approved the plan and recommend that the Chairman of the War Production Board find and certify under section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with said joint action plan, is requisite to the prosecution of the war.

Issued at Washington, D. C., this 27th day of April 1943.

JOSEPH B. EASTMAN,  
Director, Office of  
Defense Transportation.

[F. R. Doc. 43-6737; Filed, April 30, 1943;  
11:30 a. m.]

#### [Supplementary Order ODT 17-2]

#### COORDINATED OPERATION BY PRIVATE CARRIERS IN HARRIS AND GALVESTON COUNTIES, TEXAS

PARKER BROTHERS & COMPANY, INC., ET AL.

Upon consideration of the proposal to coordinate operations as private carriers of property by motor vehicle in the transportation and delivery of oyster shell and ready-mixed concrete in Harris and Galveston Counties, Texas, filed with the Office of Defense Transportation by Parker Brothers & Company, Inc., John Young Company, Horton & Horton, and W. L. Jones, of Houston, Texas; and W. D. Haden Company of Galveston, Texas (hereinafter referred to collectively as the parties), as governed by

§ 501.72 of General Order ODT 17, as amended (7 F.R. 5678, 6794, 9623), and

It appearing that such coordination will conserve and providently utilize vital equipment, material and supplies, and assure maximum utilization of facilities, services and equipment, the attainment of which purposes is essential to the successful prosecution of the war: It is hereby ordered, That:

1. When an order for oyster shell or ready-mixed concrete received by any of the parties requires delivery at a point three miles nearer the hopper or mixing plant, as the case may be, of any other party hereto than one of its own, the party receiving such order shall obtain such oyster shell or ready-mixed concrete from the nearer hopper or mixing plant, as the case may be, if an adequate supply of such commodity is available at such nearer hopper or mixing plant. The price to be paid for oyster shell or ready-mixed concrete so obtained shall be that agreed upon by the parties to each transaction, or, in the event of a disagreement, such just and reasonable price as may be fixed upon application of the parties by the Office of Defense Transportation, subject in either event to any applicable maximum price established by any competent governmental authority.

2. Any person engaged in the sale or delivery of oyster shell or ready-mixed concrete in Harris or Galveston Counties, Texas, shall be entitled to participate in the plan and arrangement approved herein upon application and determination by the Office of Defense Transportation that the facilities of such applicant are suitable for participation in such plan and arrangement.

3. The records of the parties shall be available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

4. Communications concerning this order should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C., and should refer to "Supplementary Order ODT 17-2".

This order shall become effective May 4, 1943, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 27th day of April 1943.

JOSEPH B. EASTMAN,  
Director,  
Office of Defense Transportation.

[F. R. Doc. 43-6738; Filed, April 30, 1943;  
11:30 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

[Amendment 1 to Revised General Order 33 '1]

GLEN E. EDGERTON

#### DELEGATION OF AUTHORITY TO ACT FOR THE ADMINISTRATOR

Paragraph (a) of Revised General Order No. 33 is hereby amended to read as set forth below:

18 F.R. 4370.



(a) Glen E. Edgerton, Rationing Administrator for the Panama Canal Zone, is authorized and directed to exercise the functions, duties, powers, authority and discretion conferred upon the Administrator for the purpose of permitting the efficient rationing of petroleum products and rubber tires, tubes, recapping and camelback in the Panama Canal Zone;

Provided, however, That any program initiated pursuant to this authorization shall be subject to the approval of the Administrator for the Ninth Region of the Office of Price Administration.

This Amendment 1 to Revised General Order No. 33 shall become effective May 5, 1943.

(Pub. Law 507, 77th Cong.; E.O. 9125; W.P.B. Directive No. 1-L; Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6683; Filed, April 29, 1943;  
2:23 p. m.]

[Order 7 Under MPR 207]

R. D. BODLE CO.

#### APPROVAL OF MAXIMUM PRICES

Order No. 7, under § 1341.202 (d) of Maximum Price Regulation No. 207.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 30, 1943, the maximum prices, f. o. b. packing plant, for sales by R. D. Bodle Co., 71 Spring Street, Seattle, Washington, of the following frozen products shall be:

Product	Unit	No. of units per shipping case	Maximum price in cents per pound
Brussels sprouts.....	70 lb. box.....	1	28
Brussels sprouts.....	75 lb. box.....	1	28
Boysenberries I. Q. F.....	15 lb. carton.....	1	15½
Boysenberries in syrup.....	10 lb. carton.....	4	15½
Red sour pitted cherries 5 x 1.....	50 gal. barrel.....	1	13½
Red sour pitted cherries in syrup.....	10 lb. carton.....	4	15½
Youngberries in syrup.....	10 lb. tin.....	4	17
Youngberries in syrup.....	10 lb. carton.....	4	16
Youngberries I. Q. F.....	5 lb. carton.....	6	14½
Loganberries in syrup.....	10 lb. carton.....	4	18
Blackberries I. Q. F.....	15 lb. box.....	1	14½
Blackberries in syrup.....	10 lb. carton.....	4	17
Blackberries in syrup.....	2½ lb. carton.....	12	17½
Black raspberries in syrup.....	10 lb. carton.....	4	18½
Pears I. Q. F.....	50 gal. barrel.....	1	17½
Pitted prune halves 5 x 1.....	50 lb. tin.....	1	11
Pitted prune halves 5 x 1.....	10 lb. tin.....	4	12
Pitted prune halves in syrup.....	10 lb. carton.....	4	12
Pitted prune halves in syrup.....	1 lb. carton.....	24	(1)

<sup>1</sup> \$1.75 per dozen cartons.

(b) R. D. Bodle Co. shall apply to its maximum selling prices of the frozen products listed in paragraph (a) of this order, the same discounts, allowances, and price differentials which it customarily applies to sales of comparable

items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) This Order No. 7 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 7 shall become effective April 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6697; Filed, April 29, 1943;  
4:18 p. m.]

[Order 8 Under MPR 207]

TODKILL AND CHAPMAN

#### APPROVAL OF MAXIMUM PRICES

Order No. 8 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 30, 1943, the maximum prices, f. o. b. packing plant, for sales by Todkill and Chapman, North East, Pennsylvania, of the following frozen products shall be:

	Cents per pound
Black raspberries:	
30 lb. cans straight pack.....	15
450 lb. barrels, 4 x 1.....	13¼
Dewberries (thimbleberries):	
10 lb. cans straight pack.....	13½
15 lb. cans straight pack.....	13¼
30 lb. cans straight pack.....	13
Red raspberries:	
1 lb. cups, 3 x 1.....	16½

(b) Todkill and Chapman shall apply to their maximum selling prices of the frozen products listed in paragraph (a) of this order the same discounts, allowances and price differentials which they customarily apply to sales of comparable items, unless a change in these customary discounts, allowances and price differentials results in lower selling prices.

(c) This Order No. 8 may be revoked or amended by the Price Administrator at any time.

(d) This Order No. 8 shall become effective April 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681).

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6698; Filed, April 29, 1943;  
4:19 p. m.]

[Order 9 Under MPR 207]

UNITED FRUIT GROWERS, INC.

#### APPROVAL OF MAXIMUM PRICES

Order No. 9 under § 1341.202 (d) of Maximum Price Regulation No. 207—Frozen Fruits, Berries and Vegetables.

For the reasons set forth in an opinion issued simultaneously herewith, *It is ordered:*

(a) On and after April 30, 1943, the maximum prices, f. o. b. packing plant, for sales by United Fruit Growers, Inc., Salem, Oregon, of the following frozen products shall be:

Product	Maximum price in cents per pound
13 lb. bulkans fancy shoestring carrots.....	9½
17 lb. bulkans fancy diced carrots.....	8
17 lb. bulkans dices and pieces carrots.....	7½
265 lb. barrels fancy diced carrots.....	7½
17 lb. bulkans fancy diced beets.....	9
17 lb. bulkans dices and pieces beets.....	8½
8 lb. bulkans 4 x 1 halved and pitted prunes.....	9½
20 lb. bulkans 4 x 1 halved and pitted prunes.....	8½
50 gal. barrels 5 x 1 halved and pitted prunes.....	7½
50 gal. barrels straight prune pulp.....	6½
30 lb. tins 4 x 1 youngberry puree.....	14
30 lb. tins straight black raspberry puree.....	17
30 lb. tins 3 x 1 evergreen blackberries.....	13
30 lb. tins straight red raspberries.....	17
50 lb. tins 4 x 1 black raspberries.....	14½
50 gal. barrels 4 x 1 black raspberries.....	14

(b) This Order No. 9 may be revoked or amended by the Price Administrator at any time.

(c) This Order No. 9 shall become effective April 30, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 29th day of April 1943.

PRENTISS M. BROWN,  
Administrator.

[F. R. Doc. 43-6696; Filed, April 29, 1943;  
4:18 p. m.]

#### SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 37-26, 37-25, 37-36, 37-57]

FEDERAL ADVISERS, INC., ET AL.

#### ORDER POSTPONING HEARING

In the matter of Federal Advisers, Inc., File No. 37-26; Electric Advisers, Inc., File No. 37-25; Gas Advisers, Inc., File No. 37-36; Cities Service Company, Cities Service Power & Light Company, Federal Light & Traction Company, Arkansas Natural Gas Corporation, Central Arkansas Public Service Corporation, Petroleum Advisers, Inc., Federal Advisers, Inc., Electric Advisers, Inc., Gas Advisers, Inc.; File No. 37-57.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of April, A. D. 1943.

The Commission having on March 24, 1943, pursuant to section 13 of the Public Utility Holding Company Act of 1935 ordered a hearing to be held on May 3, 1943, in the above entitled matter; and

Counsel for respondents having requested that said date for hearing be postponed for a period of thirty days; and the Commission having considered said request and deeming it appropriate that such postponement be granted and that the hearing be continued until June 3, 1943:

*It is ordered,* That the hearing in this matter previously scheduled for May 3, 1943, be and hereby is postponed to June 3, 1943 at the same time and place and



before the same trial examiner as heretofore designated.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-6708; Filed, April 30, 1943;  
9:41 a. m.]

[File No. 54-43]

# GREAT LAKES UTILITIES COMPANY

## ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 28th day of April 1943.

The Commission having by order dated March 31, 1942, entered pursuant to section 11 of the Public Utility Holding Company Act, approved the Plan of Liquidation filed by the Great Lakes Utilities Company, a registered holding company, which provided, among other things, for the complete liquidation of said company; and the order having provided that the applicant should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose, and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate; and

Great Lakes Utilities Company having filed an application requesting an extension from May 1, 1943, to May 1, 1944 of the maturity date of the outstanding First Lien Collateral Trust Bonds, 5½% Series, due 1942, in the unpaid principal amount of \$593,437.50, which maturity date was initially extended by the plan from May 1, 1942, to May 1, 1943, said plan providing that upon a showing of due diligence and subject to the approval of the Commission and the Court, the applicant should have the right to extend the maturity of said bonds from May 1, 1943, to May 1, 1944; and

The Commission having found that said company has been unable in the exercise of due diligence to sell sufficient assets and securities at fair prices during the initial period of extension of the bonds to pay off the indebtedness in full, and that an extension of the maturity date of the bonds from May 1, 1943, to May 1, 1944 is appropriate in the public interest and in the interest of investors and consumers;

It is ordered, That the application for extension of the maturity date of the bonds from May 1, 1943, to May 1, 1944 be, and the same hereby is, granted.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-6706; Filed, April 30, 1943;  
9:42 a. m.]

[File Nos. 70-706, 70-707, 70-708]

# UNITED GAS IMPROVEMENT COMPANY, ET AL.

## NOTICE OF FILING AND ORDER FOR HEARING AND ORDER FOR CONSOLIDATION

In the matter of The United Gas Improvement Company, File No. 70-706;

Pennsylvania Electric Company, Erie County Electric Company, Associated Electric Company, File No. 70-707; General Gas & Electric Corporation, Virginia Public Service Company, File No. 70-708.

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 29th day of April 1943.

Notice is hereby given that applications and declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935, by The United Gas Improvement Company, a registered holding company, by its subsidiary, Erie County Electric Company, by Associated Electric Company and General Gas & Electric Corporation (both registered holding companies and subsidiaries of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company), by Pennsylvania Electric Company, a subsidiary of Associated Electric Company, and by Virginia Public Service Company, a subsidiary of General Gas & Electric Corporation. All interested persons are referred to said applications and declarations which are on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

The transactions here involved relate to the acquisition by Pennsylvania Electric Company of the assets of Erie County Electric Company and to the acquisition by The United Gas Improvement Company of all the common stock of Eastern Shore Public Service Company (Del.), a subsidiary of General Gas & Electric Corporation and itself the parent of The Eastern Shore Public Service Company of Maryland, The Maryland Light and Power Company and Eastern Shore Public Service Company of Virginia. The acquisition by The United Gas Improvement Company is a part of a general program involving subsequent transactions which will be the subject of further applications by it relative to the merger of Eastern Shore Public Service Company (Del.) with Delaware Power & Light Company (Del.), a subsidiary of The United Gas Improvement Company, and certain financing in connection therewith. The present filings contemplate the following transactions:

1. (a) Pennsylvania Electric Company will issue and sell 171,075 shares of its \$20 par value common stock to Associated Electric Company for a cash consideration of \$3,421,500.

(b) Erie County Electric Company will reclassify its presently outstanding 39,375 shares of \$100 par value common stock (all presently held by The United Gas Improvement Company) into 35,000 shares of \$100 par value 5% Cumulative Preferred Stock and 4,375 shares of \$100 par value common stock.

2. The United Gas Improvement Company will sell to Pennsylvania Electric Company all the then outstanding 4,375 shares of the common stock of Erie County Electric Company and will receive as consideration therefor \$2,571,500 in cash and 182,000 shares of the common stock of Eastern Shore Public Service Company (now held by General Gas & Electric Corporation and Virginia Pub-

lic Service Company) for which Pennsylvania Electric Company will pay a base cash price of \$566,667 to General Gas & Electric Corporation and \$283,333 to Virginia Public Service Company. (The United Gas Improvement Company, after completion of the present transactions, contemplates the retirement of all of the presently outstanding 20,177 shares of \$6 Cumulative Preferred Stock and all the presently outstanding 14,538<sup>13</sup>/<sub>16</sub> shares of \$6.50 Cumulative Preferred Stock of Eastern Shore Public Service Company (Del.), each of which is callable at the liquidating value of \$100 plus a premium equal to one year's dividends. If, in the retirement of such preferred stock, a sum more than the \$100 liquidating value of such preferred stock is paid, Pennsylvania Electric Company has agreed that it will pay, in cash, to The United Gas Improvement Company, an amount equal to the additional amount paid but not in excess of \$215,559.)

3. Subsequent to the acquisition of the common stock of Erie County Electric Company, Pennsylvania Electric Company will cause Erie County Electric Company to be dissolved. The dissolution will be effected by Erie County Electric Company calling for redemption all its then outstanding 35,000 shares of 5% Cumulative Preferred Stock; the acquisition by Pennsylvania Electric Company of all the assets of Erie County Electric Company; the assumption by Pennsylvania Electric Company of all liabilities of Erie County Electric Company (including the liability of \$3,500,000 resulting from the call of the preferred stock); and the surrender to Erie County Electric Company for cancellation of the 4,375 shares of its common stock.

4. Pennsylvania Electric Company will issue and sell, at competitive sale, 35,000 shares of its Cumulative Preferred Stock which will be identical with its presently outstanding Cumulative Preferred Stock 5.10% Series A, \$100 par value, except with respect to the dividend rate and redemption price. The additional shares will have a dividend rate of not over 5.10%, and the price to be received will be fixed at not less than 102. The proceeds from the sale of such preferred stock will be applied to the liability resulting from the call of the preferred stock of Erie County Electric Company.

The applicants and declarants consider sections 6 (a), 6 (b), 9 (a), 9 (b) (1), 10, 12 (c), 12 (d), and 12 (f) of the Act and Rules U-42, U-43, U-44, and U-50 of the General Rules and Regulations as being applicable to the proposed transactions.

It appearing to the Commission that it is appropriate and in the public interest and the interest of investors and consumers that a hearing be held with respect to the said declarations and applications and that said declarations should not become effective or said applications be granted, except pursuant to further order of the Commission, and that at said hearing there will be considered, among other things, the various matters herein set forth; and

It further appearing that the foregoing matters are related, and that evidence offered in respect to each of the matters may have a bearing on the



others, and that substantial savings in time, effort, and expense will result if said matters are consolidated;

*It is hereby ordered,* That said proceedings be, and hereby are, consolidated, subject to the reservation that the Commission, if at any time it appears conducive to the orderly, efficient, or economic disposition of any of the matters herein, may order a separate hearing concerning any of the issues in the consolidated proceedings, may close the record with respect to any of such issues, or may take any action on any such issues prior to the closing of the record on the other issues therein, or may consolidate with these proceedings other matters or filings pertaining to the instant proceedings.

*It is further ordered,* That a hearing be held upon said matters, as consolidated, on May 20, 1943, at 10:00 a. m., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in room 318 will advise as to the room where such hearing will be held. At such hearing cause shall be shown why such applications may be granted, and declarations become effective.

*It is further ordered,* That Richard Townsend, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the hearings in such matter. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice;

*It is further ordered,* That without limiting the scope of the issues presented by said applications and declarations, particular attention will be directed at said hearing to the following matters and questions:

1. Whether the partial reclassification by Erie County Electric Company of its common stock into preferred stock is necessary and appropriate in the public interest or for the protection of investors or consumers, or whether it is necessary to impose any terms or conditions in respect to such transaction.

2. Whether the several considerations to be paid and received in connection with the various proposed transactions, including all fees, commissions, and other remuneration, are reasonable.

3. Whether the several acquisitions will serve the public interest by tending towards the economic and efficient development of integrated public utility systems.

4. Whether the proposed issues or sales of securities by Pennsylvania Electric Company and Erie County Electric Company are solely for the purpose of financing the business of each company, and whether it is appropriate in the public interest or for the protection of investors or consumers to impose any terms and conditions in connection therewith.

5. The propriety of the proposed accounting treatment of each phase of the several transactions on the books of the respective applicants and declarants.

6. What terms and conditions, if any, are necessary or appropriate in the pub-

lic interest or the interests of investors or consumers to insure compliance with the requirements of the Public Utility Holding Company Act of 1935 or any rules, regulations or orders promulgated thereunder, and particularly with reference to the property, surplus and other related accounts and the adequacy of the depreciation reserve and the annual depreciation accrual, as to each of the companies concerned.

7. Generally, whether the proposed transactions comply with the provisions of the Public Utility Holding Company Act of 1935 and all Rules and Regulations promulgated thereunder, and are not detrimental to the public interest or the interest of investors or consumers.

Notice of such hearing is hereby given to such declarants and applicants and to any other person whose participation in such proceeding may be in the public interest and for the protection of investors and consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file with the Secretary of this Commission, on or before May 18, 1943, his request or an application therefor as provided in Rule XVII of the Rules of Practice of the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBois,  
Secretary.

[F. R. Doc. 43-6707; Filed, April 30, 1943;  
9:41 a. m.]

#### WAR PRODUCTION BOARD.

##### NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF STOP CONSTRUCTION ORDERS STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain stop construction orders listed in Schedule A below, stopping the construction of the projects affected. For the effect of each such order upon construction of the project and delivery of materials therefor, the builder and sup-

pliers affected shall refer to the specific order issued to the builder.

Issued April 29, 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

Name and address of builder	Project affected	Date of issuance of stop construction order
Pennsylvania State Highway Department, Harrisburg, Pa.	Somerset, Fayette Co., Bridge.	4-17-43
Colorado State Highway Department, Denver, Colo.	Westerly from Ridgway via State Highway No. 62 toward Dallas Divide, AI-FAP 103 G (1) Construction Division No. 1 and 2.	4-20-43

[F. R. Doc. 43-6701; Filed, April 29, 1943;  
4:43 p. m.]

##### NOTICE TO BUILDERS AND SUPPLIERS OF IS- SUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected. For the effect of each such order upon preference ratings, construction of the project, and delivery of materials therefor, the builder and suppliers affected shall refer to the specific order issued to the builder.

Issued April 29, 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

#### SCHEDULE A

Serial number	Builder	Project affected	Issuance date
421 7033-00411 (4 units of 24).	W. C. Norris, R. D. 2, Washington, Pa.	Middle Rd. between Newport Dr. and Hillsdale St., S. H. Pittsburgh, Allegheny Co., Pa., Baldwin Twp.	2-16-43
245 7033-00250 (8 units of 26).	Robert H. Darling, Box 427, Wellock Rd., R. D. #6, Pittsburgh, Pa.	Hazelhurst-Wallace Sts. and Circle Dr., Wallace Plans #1 and #2, Elderslee Rd., Wallace Ridge Plan-Addition #1, Baldwin Twp., Allegheny, Pa.	2-16-43
198 7033-000202 (1 unit of 8).	Sherwood Construction Co., Sherwood Drive, Pittsburgh, Pa.	Vanadium Rd.—Lots 61-62-64, Elmbrook Lane; 35 to 39 Scott Twp., Allegheny Co., Pa.	2-16-43
1497 7071-00754 (1 unit of 8).	Tripp Construction Co., 4219 Irving Park Rd., Chicago, Ill.	4316-28 W. Bertean, Chicago, Ill.	2-11-43
126 77-014-000 153 (4 units of 10).	Better Properties, Inc., 671 Crescent Ave., Buffalo, N. Y.	Brundage Avenue, North Tonawanda, N. Y.	2-4-43
136 77-014-000 113 (1 unit of 6).	John Schumacher, 5 Bernice Street, Rochester, N. Y.	Rochester and Greece, N. Y.	2-4-43
13 7064-000004 (10 units of 20).	Patrick & Miller, 4601 Jefferson Hwy., New Orleans, La.	Orleans Parkway Subdivision, R. F. D. #2, New Orleans, La.	2-16-43
31 7064-000017 (7 units of 15).	Dream Homes, Inc., New Orleans, La.	Mayflower Subdivision, New Orleans, La.	2-16-43
118 7064-000077 (2 units of 25).	Bechtel, Jones & Bechtel, 3760 Airline Highway, Jefferson, La.	3760 Airline Highway, Jefferson, La.	2-16-43
242 7064-000191 (9 units of 30).	Rainold-Vandenberg, Inc., 730 Gravier St., New Orleans, La.	Paris Park, New Orleans, La.	2-16-43
251 7064-000250 (1 unit of 25).	The Jesse R. Jones Corp., 1100 Metairie Rd., New Orleans, La.	Oaklawn Dr., Metairie, New Orleans, La.	3-11-43
311 7064-000287 (1 unit of 8).	Martin J. Rector, 5007 Prytanis St., New Orleans, La.	Congress St., New Orleans, La.	2-16-43
452 7064-000349 (1 unit of 8).	Mrs. F. Lofon, R. F. D. #4, Seabrook, La.	Haynes Blvd., New Orleans, La.	2-16-43

[F. R. Doc. 43-6702; Filed, April 29, 1943; 4:43 p. m.]



# NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS PARTIALLY REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, partially revoking preference rating orders issued in connection with, and partially stopping the construction of the projects affected.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

Issued April 29, 1943.

SCHEDULE A

Serial number	Builder	Project location	Issuance date
161 77-122-001700 (2 units of 4).	George A. Boyer, 4923 1/2 Firestone Blvd., South Gate, Calif.	Dearborn, bet. Ardmore and Firestone, South Gate, Calif.	3-30-43
047 77-000-20 (14 units of 20).	Consolidated Properties, Inc., 1807 Irving St. N.W., Washington, D. C.	Franklin Ave. and Old Bladensburg Rd., Indian Spring Park, Md.	4-7-43
080 77-000-106 (43 units of 20).	Glenn Realty Co., Inc., 8311 Coleville Rd., Silver Spring, Md.	St. Paul St., Kensington Heights, Kensington, Md.	4-7-43
081 77-000-105 (6 units of 9).	Glenn Realty Co., Inc., 8311 Coleville Rd., Silver Spring, Md.	Elm Avenue, Takoma Park, Md.	4-7-43
299 77-031-002 (4 units of 20).	Beverly Hills Homes, Inc., Fort Lee, N. J.	Beverly Hills Rd., Fort Lee, N. J.	4-7-43
481 77-031-008 (20 units of 45).	Pisani-Kissel Co., Inc., 493 East High St., Bound Brook, N. J.	Washington and Hayward Sts. bet. W. Maple and Cherry Ave., Bound Brook, N. J.	4-7-43
888 77-031-383 (4 units of 10).	Monarch Construction Co., 705 Chandler Ave., Linden, N. J.	Pasclair and Dill Ave., St. Marks Pl., Month and Cranford Ave., Linden, N. J.	4-7-43
887 77-074-000189 (1 unit of 10).	Davenport Homes, Inc., 207 Rahl Bldg., Davenport, Iowa.	Davenport, Iowa.	4-7-43
007 77-014-125 (14 units of 160).	Chas. W. King Co., 75 Vandalla St., Buffalo, N. Y.	Cheektowaga, N. Y.	4-7-43
061 7033-00102 (1 unit of 5).	Paul J. Sammelson, 201 Raymond St., Pittsburgh, Pa.	Lots 119, 120, 121, 158, Pennridge Addition 1, Penn Twp., Pa.	4-7-43
329 7033-00339 (6 units of 11).	Bernard Englert, 2308 Transport St., Pittsburgh, Pa.	Lots 12-13-14-15-16-21-18-19-22-23-25, Shaler Twp., Green Hills Plan, Allegheny Co., Pa.	4-7-43
351 7033-00378 (8 units of 90).	Sherwood Construction Co., Sherwood Drive, Pittsburgh, Pa.	Baldwin Twp., Alleg. Co., Pa. Lots 2, 3, 4, 5 Baptist Rd. General Logan Heights; Lots 10, 11, 27 and 28, Sherwood Drive, General Logan Heights; Lots 98 to 119 Inclusive, Sherwood Drive, General Logan Heights; Lots 38 to 97 Inclusive, Douglas Drive, General Logan Heights; Douglas and McArthur Sts. bet. Anne St. and Partridge Ave., Mobile, Ala.	4-7-43
222 77-002-000250 (3 units of 33).	Jackson Homes, Inc., Bridge Bldg., East Capitol St., Jackson, Miss.	Beech, Laurel, Dixie and Newport Pike bet. Forest Drive and Newport Pike bet. Elmhurst and Newport, New Castle Co., Del.	4-7-43
491 77-032-000034 (9 units of 40).	Sereggins Construction Co., 1220 Newport Pike, Wilmington, Del.	Excelsior Village, Upper Chichester Twp., Bethel Rd., Delaware Co., Pa.	4-7-43
73 77-034-000049 (57 units of 61).	R. H. Merritt Co., Inc., 5440 Market St., Philadelphia, Pa.	Ashland Avenue bet. 7th and 9th Sts., Eddystone, Delaware Co., Pa.	4-7-43
254 77-034-000193 (28 units of 59).	Clarke & Webb, Co. Bldg., Media, Pa.	Green St. bet. North and Forsler Sts., Harrisburg, Pa.	4-7-43
642 77-034-000576 (5 units of 10).	Mervin L. Guise, 2023 Harvard Ave., Campbell, Pa.		

[F. R. Doc. 43-8703; Filed, April 29, 1943; 4:43 p. m.]

# NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The War Production Board has issued certain revocation orders listed in Schedule A below, revoking preference rating orders issued in connection with, and stopping the construction of the projects affected.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
Recording Secretary.

Issued April 29, 1943.

SCHEDULE A

Preference rating order	Serial No.	Name and location of builder	Project affected	Date of issuance of revocation order
P-19-h...	29768...	New York, New Haven and Hartford R. R. Co., New Haven, Conn.	Westchester Yard, Borough of Bronx, N. Y., N. Y.	4-26-42
P-19-h...	12203...	Atchison, Topeka & Santa Fe Railway Co., Chicago, Ill.	Albany, Calif.	4-26-43
P-19-e...	78886...	New Mexico State Hwy. Comm., Santa Fe, N. Mex.	U. S. Highway 66 to Custer-Carr Flying School DA-WN-28, Mobile, Ala.	4-26-43
P-19-h...	33347...	Chicago, Ill.		4-26-43
P-19-e...	630-E...	Missouri St. Hwy. Dept., Jefferson City, Mo.	U. S. 40 south of Blue Springs, SN-FA 352 E (2).	4-26-43
P-19-e...	18770-e...	Oregon St. Hwy. Comm., Salem, Oreg.	U. S. Hwy. 101 Coos Co. SN-FAP 171 H (1).	4-26-43
P-19-e...	22194-e...	Missouri St. Hwy. Comm., Jefferson City, Mo.	SN-FA 176 J (1) Pulaski Co., U. S.	4-26-43
P-19-e...	2015-e...	Louisiana Dept. of Hwys., Baton Rouge, La.	S. Pacific Co. line crossing Mo. Pa. at RR AN-FAGS 78 (1).	4-26-43
P-19-e...	20602-e...	Nebraska Dept. of Hwys., Carson City, Nev.	U. S. 40144 Wilmamucca and Elko, SN-FAP 92-C (4).	4-26-43
P-19-e...	28102 (not issued)...	Louisiana Dept. of Hwys., Baton Rouge, La.	U. S. 51 from New Orleans to Memphis, SN-FAP 383 (1).	4-26-43
P-19-e...	31932...	Mass. Dept. of Pub. Wks., Boston, Mass.	Chilcopee, Mass. AW-FAP 320-A (2).	4-26-43
P-19-h...	33012...	Great Northern Rwy. Co., Wis.	Allouez, Wis.	4-26-43

[F. R. Doc. 43-8705; Filed, April 29, 1943; 4:43 p. m.]

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING AND STOPPING CONSTRUCTION OF CERTAIN PROJECTS

The Director General for Operations of the War Production Board has issued certain Revocation Orders listed in Schedule A below, revoking Preference Rating Orders issued in connection with, and stopping the construction of the projects affected. For the effect of each such Order upon Preference Ratings, construction of the project and delivery of materials therefor, the Builder and Suppliers affected shall refer to the specific Order issued to the Builder.

Issued April 29, 1943.

WAR PRODUCTION BOARD,  
By JOSEPH J. WHELAN,  
Recording Secretary.

SCHEDULE A

Preference serial number	Builder	Project location	Issuance date
455 7033-00524...	Mr. Edward Doerr, 261 Marigold St., Mtnhall, Penna.	Perry Lane, Ross Township, Pa.	2-16-43
199 7033-000228...	Theodore E. Karr, 3926 Walnut St., Pittsburgh, Pa.	Rolling Hills Plan No. 3, Baldwin Twp., Pa.	2-16-43
113 77-033-000074...	Eastern Improvement Co., 505 Berger Building, Pittsburgh, Pa.	Cowan and Baldwin Rds. Lots 2-3-4-5-6-7-8-9-10-20, Collier Twp., Pa.	2-16-43
1422 77-077-000300...	Delbert D. Swartz, 4303 Lincolnway E. Mishawaka, Ind.	Mishawaka, Ind.	2-11-43
149 77-014-000139...	Distinctive Land Co., Inc., 102 Morgan Bldg., Buffalo, N. Y.	737 West Ferry St., Buffalo, N. Y.	2-4-43
223 77-117-000300...	Otto Grant, 1828 West 4th St., Oklahoma City, Okla.	1500 West 43d, Oklahoma City, Okla.	1-2-43
106 704-000093...	William W. Robert, 346 Orion Ave., Willy, Okla.	413 Homestead Ave., Metairie, La.	1-2-43
1010 77-121-000018...	Meunier, La. H. B. Hocking Co., Behlhor Bldg., Napa, Calif.	Napa, Calif.	1-2-43
1509 77-121-0000374...	Ralph E. Murphy & Sons, 72 W. Crescent Drive, San Rafael, Calif.	San Rafael, Calif.	1-2-43
1452 77-121-0000350...	Montgomery Box 40-A, R. F. D. #3, San Rafael, Calif.	San Rafael, Calif.	1-2-43
1394 77-121-000708...	C. R. Fisher, 6127 Foothill Blvd., Oakland, Calif.	Oakland, Calif.	2-16-43



## SCHEDULE A—Continued

Preference serial number	Builder	Project location	Issuance date
1942 77-121-001185	Grover Ellam, 160 Carmel Ave., El Cerrito, Calif.	Vallejo, Calif.	2-16-43
2171 77-121-001268	William F. Mitchell, 215 Illinois St., Vallejo, Calif.	Napa, Calif.	2-16-43
2435 77-121-001704	Defense Construction, Inc., 900 Pullman Ave., Richmond, Calif.	Richmond, Calif.	2-16-43
1162 77-121-000097	Lawrence Alloro, 844 Baker Street, San Francisco, Calif.	San Francisco, Calif.	2-16-43
1203 77-121-000278	L. M. Sommer, 580 Market St., San Francisco, Calif.	Carmel, Calif.	2-16-43
1304 77-121-000412	L. M. Sommer, 580 Market St., San Francisco, Calif.	Carmel, Monterey Co., Calif.	2-16-43
1463 77-121-000573	Floyd C. Frank, 1201 Cayuga Ave., San Francisco, Calif.	San Francisco, Calif.	2-16-43
1774 77-121-000878	Joseph T. Sino, 736 College Ave., Menlo Park, Calif.	Menlo Park, Calif.	2-16-43
1881 77-121-001081	Ray Agnoletti, 1009 South 3d St., San Jose, Calif.	San Jose, Calif.	2-16-43
1926 77-121-001123	Central Supply Co., P. O. Box 797, San Jose, Calif.	San Jose, Calif.	2-16-43
2058 77-121-001330	Jack E. Lester, 128 Sagamore St., San Francisco, Calif.	Richmond, Calif.	2-16-43
2121 77-121-001345	G. B. Merritt, Route 1, Box 340, Redwood City, Calif.	Redwood City, Calif.	2-16-43
2122 77-121-001366	Rucker & Bryant, 537 South 12th St., San Jose, Calif.	San Jose, Calif.	2-16-43
2231 77-121-001505	J. J. Weyland, 450 Benton Street, Santa Rosa, Calif.	Lafayette, Calif.	2-16-43
2255 77-121-001545	Otis H. Smith, 89 Elm Ave., San Anselmo, Calif.	Fairfax, Calif.	2-16-43
811 7071-000243	Sanford Apts., Inc. 30 N. Washington St., Chicago, Ill.	Chicago, Ill.	2-16-43
359 77-052-000447	Essex Realty Co., 1414 Fidelity Bldg., Baltimore, Md.	Baltimore, Md.	2-11-43
448 77-013-35	Tower Construction Corp. Lodge and Howard Streets, Albany, N. Y.	Victor St. between Washington and Lincoln Ave., Albany, N. Y.	2-4-43
346 7033-00343	Economy Homes, 1449 Center Ave., Pittsburgh, Pa.	Foxcroft 2, Lots 44 to 92 inc. and 94 to 114 incl., Scott Twp. Allegheny Co., Pa.	2-16-43
187 77000-577	Barney F. Bedford, 635 26th St., South Arlington, Va.	Lot 296, Section #2, Brandon Village, Arlington, Va.	2-11-43
1765 7071-000874	Ernest Peterson, Rockford, Ill.	Rockford, Ill.	2-16-43

[F. R. Doc. 43-6704; Filed, April 29, 1943; 4:43 p. m.]

## [Certificate 58]

## APPROVAL OF PURCHASES, SALES, EXCHANGES, AND LOANS OF PRINCIPAL PETROLEUM PRODUCTS

The Attorney General: I submit herewith Amendment No. 2 to Petroleum Directive 59 of the Office of Petroleum Administration for War.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the amendment; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in com-

<sup>1</sup> *Supra*.

pliance with Amendment No. 2 to Petroleum Directive 59 is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

APRIL 26, 1943.

[F. R. Doc. 43-6733; Filed, April 30, 1943; 11:30 a. m.]

## [Certificate 59]

## APPROVAL OF PLAN FOR JOINT ACTION OF DODDS ALDERNEY DAIRY, INC., AND QUINBY DAIRY

The Attorney General: I submit herewith a recommendation of the Director

of the Office of Defense Transportation concerning a plan for joint action by Dodds Alderney Dairy, Inc. and Nellie Quinby, doing business as Quinby Dairy, in the transportation and delivery of milk by motor vehicle in Kenmore, Hamburg and Orchard Park, New York.<sup>1</sup>

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the joint action plan described in the recommendation; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with such joint action plan is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

APRIL 27, 1943.

[F. R. Doc. 43-6734; Filed, April 30, 1943; 11:30 a. m.]

## [Certificate 60]

## APPROVAL OF COORDINATED OPERATION BY PRIVATE CARRIERS IN HARRIS AND GALVESTON COUNTIES, TEXAS

The Attorney General: I submit herewith Supplementary Order ODT 17-2,<sup>1</sup> issued by the Director of the Office of Defense Transportation with respect to coordinating the transportation and delivery of oyster shell and ready-mixed concrete by private motor carriers in Harris and Galveston Counties, Texas.

For the purposes of section 12 of Public Law No. 603, 77th Congress (56 Stat. 357), I approve the order; and after consultation with you, I hereby find and so certify to you that the doing of any act or thing, or the omission to do any act or thing, by any person in compliance with Supplementary Order ODT 17-2 is requisite to the prosecution of the war.

DONALD M. NELSON,  
Chairman.

APRIL 27, 1943.

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